Security Council

Fifty-ninth year

Provisional

5031st meeting

Monday, 13 September 2004, 10 a.m.
New York

President:	Mr. Yáñez-Barnuevo	(Spain)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. García Moritán
	Chile	Mrs. Serazzi
	China	Mr. Wang Guangya
	France	Mr. Duclos
	Germany	Mr. von Ungern-Sternberg
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Denisov
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Holliday

Agenda

Threats to international peace and security caused by terrorist acts

> Letter dated 23 August 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities addressed to the President of the Security Council (S/2004/679)

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04-50691 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Threats to international peace and security caused by terrorist acts

Letter dated 23 August 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities addressed to the President of the Security Council (S/2004/679)

The President (*spoke in Spanish*): I should like to inform the Council that I have received letters from the representatives of Australia, India, Indonesia, Japan, Malaysia, the Netherlands and Singapore, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in Spanish*): In accordance with the understanding reached in the course of the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Heraldo Muñoz, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities.

It is so decided.

I invite Ambassador Muñoz to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2004/679, which contains the text of a letter dated 23 August 2004 from the Chairman of the Al Qaeda and Taliban sanctions Committee, transmitting the first report of the Analytical Support and Sanctions Monitoring Team, pursuant to resolution 1526 (2004).

At this meeting, the Security Council will hear a briefing by Mr. Heraldo Muñoz, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities. I now give him the floor.

Mr. Muñoz (*spoke in Spanish*): First of all, allow me to say how gratified I am to have a Spanish speaker, and yourself in particular, Mr. President, presiding over this meeting of the Council on an issue of the greatest importance for the international community.

This is the second of the oral assessments that I present every 120 days to the Council pursuant to resolution 1526 (2004). As you may recall, I concluded my last briefing by noting that terrorism continues to be a global threat that can be addressed only through the concerted efforts of the international community. I also emphasized that this would be a long struggle. Sadly, recent events have again shown us that the fight against terrorism is far from over. The horrific terrorist attacks against innocent children, women and parents in Beslan, Russia and the bombing of the Australian embassy in Jakarta a few days ago are tragic reminders that we need to do a lot more to defeat terrorism.

Today, I want to reiterate that terrorism constitutes one of the most serious threats to international peace and security that affect every State. Therefore, we need to consolidate and further enhance the achievements of the United Nations in fighting this scourge.

The Al Qaeda and Taliban sanctions Committee is acutely aware of these challenges. As I shall explain in a moment, the Committee is currently considering the first report of its Monitoring Team, which contains recommendations on how to address the constant

lution of the Al Qaeda network. I shall also explain plans for continuing and improving our peration with Member States in order to further ngthen the sanctions regime. Before I do so I will, vever, briefly inform you of the activities of the mmittee and its Monitoring Team since I gave my briefing on 25 May 2004.

The legal basis for the Committee's work tinues to be Security Council resolution 1526 04), which was adopted on 30 January 2004. That olution not only provides the conceptual framework the Committee and the Monitoring Team but also lresses the mandatory and other responsibilities of mber States with regard to the sanctions regime posed against Al Qaeda and the Taliban.

Since 25 May, the Committee has held 11 ormal meetings. The Committee has continued its ctice of discussing and studying issues in informal tings, as that allows members to exchange their ws more freely and to meet as frequently as essary. Such an environment has proven to be more ful to new representatives on the Committee.

In several meetings held in June, the Committee cussed an informal document presented by the airman on non-mandatory measures contained in olution 1526 (2004). In that connection, it was ognized that resolution 1526 (2004) introduced a nber of measures that, although not mandatory, are portant for the implementation of the sanctions ime against Al Qaeda and the Taliban, as they vide ideas as to how States might further enhance ir counter-terrorism efforts. Such efforts could seek cut the flow of funds and other financial assets to l from individuals and entities on the List. They ld also lead to the establishment of internal cedures on the transborder movement of currency, ed on applicable thresholds. Other non-mandatory asures seek to further improve the Committee's List l to strengthen cooperation in the area of capacity-lding for the implementation of sanctions measures. en considering the non-mandatory measures tained in resolution 1526 (2004), the Committee lized that some of those measures might become ndatory in the future if deemed appropriate and essary.

The Committee spent a considerable amount of e and effort revising the guidelines for the conduct its work. That was mainly because the existing guidelines do not reflect the most important changes made to the sanctions regime against Al Qaeda by resolutions 1455 (2003) and 1526 (2004). The Committee has therefore focused on adapting its current guidelines to make them better tools with which to rationalize its work and provide guidance to Member States in instances when relevant Security Council provisions do not provide sufficient information or guidance. The Committee has made progress in its efforts to adopt new guidelines and will continue its discussions to reach consensus in the near future.

Since 25 May, the names of 8 new individuals and 6 new entities have been placed on the Committee's List. In order to implement the requirements of paragraph 19 of resolution 1526 (2004), and in line with the practice of the Counter-Terrorism Committee (CTC), a list of contact points has been established. That list enables the Committee's secretariat to inform the relevant officials of Member States of any changes to the List as soon as they are made. That contact list is already fully operational and contains contact points in all permanent missions and in 183 States.

The Committee has continued to deal expeditiously with exceptions, pursuant to resolution 1452 (2002). In conformity with the list of notifying States maintained by the Committee, 11 States have so far approached the Committee.

We have established an active working relationship with the Chairman of the CTC and the Counter-Terrorism Executive Director, and we agree that cooperation between the two Committees needs to be strengthened further. To that end, a meeting will be held this week with the participation of the CTC Chairman, myself and the CTC experts and their Executive Director, as well as with the Monitoring Team of the Al Qaeda-Taliban sanctions Committee and its coordinator.

During the past four months the Monitoring Team has focused on establishing a close and effective working relationship with the Committee and Member States. The Team has established a number of contacts both with permanent missions in New York and with relevant national authorities. It has also provided the Committee with support in promoting the effective implementation of relevant resolutions and assessing the impact of the measures detailed in those

resolutions, and by making recommendations as to how those measures might be made more effective. It has also produced a report for the Committee on those States that have not fulfilled their obligations under resolution 1455 (2003) by the agreed deadline. In addition, the Team has provided support to the Chairman of the Committee, in particular during his travel to selected countries. It has also established a close working relationship with the CTC, including in particular with CTC experts.

The Team has approached the work on the Committee's List actively and has focused on how further improvements might be made to the List. It has sent letters to 80 States seeking additional information on those entries where identifying information is missing or is not satisfactory. It has also encouraged Member States to add names to the List and has received a very positive response.

The Team has undertaken several trips. Between 6 and 27 July it visited Libya, Afghanistan, Pakistan, Egypt and the United Kingdom. The purpose of those visits was to assess the evolution of the threat posed by Al Qaeda, to seek suggestions on how to improve the List, to discuss ideas for making sanctions more effective and to encourage States to add names to the Committee's List. In August, members of the Team visited Indonesia, Malaysia, the Philippines, Singapore, Saudi Arabia, the United Arab Emirates and the capital of the United States, Washington. Members of the Team have also made presentations on their work and that of the Committee to regional meetings in Asia and Africa. On each of its trips the Team was well received and noted great interest in engaging further with the Committee as a necessary step in strengthening international cooperation in the global effort to counter terrorism.

The Committee highly appreciates the information provided by the Monitoring Team on the outcome of its visits to selected States shortly after their return. Those briefings enhance the Committee's understanding of the concerns and experiences of visited States.

On 31 July, the Analytical Support and Sanctions Monitoring Team submitted its first written report to the sanctions Committee. In paragraph 8 of resolution 1526 (2004), the Security Council requested the Monitoring Team to submit three written reports to the Committee during its eighteen-month mandate, with the first report due before the end of July. I publicly commend the Monitoring Team for having met its deadline and for having produced a concise, well-conceived and high-quality document. The report contains fresh ideas and will give a new impetus to the work of the sanctions Committee.

It should be recalled that the Monitoring Team was established to assist the Al Qaeda and Taliban Committee in better fulfilling its mandate. It consists of independent experts and its findings and recommendations are thus independent. The Committee has already begun studying the report and will consider any measure that may be taken to further enhance its work. It is the Committee's responsibility to consider the Team's report carefully and to reach its own conclusions regarding appropriate follow-up action that might be taken either by the Committee itself or at the level of the Security Council. The Committee is undertaking a thorough consideration of the recommendations contained in the report.

The Committee first discussed the report at its informal meeting on 23 August, when it decided to release the report to the public. I then forwarded the report to the President of the Security Council via a letter dated 23 August and it was issued as an official document of the Security Council under the symbol S/2004/679. On 30 August, I held a joint press conference with the Coordinator of the Monitoring Team, Mr. Richard Barrett — who is with us today — at which we introduced the report to the media.

As the report is the Monitoring Team's first, it sets the stage for the Team's subsequent work. It lays out the background for the Team's future findings, summarizes the activities undertaken to date and describes how it intends to proceed with its work in future. The report also provides an indication of the potential recommendations the Team is minded to make in its subsequent reports. Of particular interest is the fact that the Team has foreshadowed a number of measures that might be taken to improve the functionality and credibility of the Consolidated List, as well as to strengthen the effectiveness of the existing financial sanctions, arms embargo and travel ban.

I do not intend to go into the details of the report here. It is very well written and speaks for itself. However, one theme that the Monitoring Team emphasizes in it is that the international community

cannot afford to rest on its laurels at this crucial juncture in the fight against Al Qaeda and the Taliban. It also stressed the need to encourage closer operational cooperation between States to make the international environment still more inhospitable to Al Qaeda-related terrorism, to the collection and distribution of funds and to access to the weapons used in terrorist attacks. It is unfortunate that this key message has been misinterpreted in certain media reports as a failure of the sanctions regime.

The Team notes that the nature of the threat from Al Qaeda and the Taliban is constantly evolving, just as Al Qaeda itself has evolved from an organization with a structure and hierarchy into a global network of groups unbound by organizational structure but held together by a set of overlapping ideological goals. Therefore, the international community must respond creatively and effectively to the changing threat posed by Al Qaeda and the Taliban. The Security Council should be vigilant in ensuring that its strategy to counter the Al Qaeda threat is as good as it can be. We must try to stay ahead of the curve.

Continued cooperation with member States remains perhaps the most important aspect of the Committee's work. Three issues merit specific attention: the need to further improve the quality of the Committee's List; the opportunity, provided for in resolution 1526 (2004), for States to meet with the Committee; and the visits I undertake with members of the Committee to selected States.

As I just mentioned, one of the central themes of the report of the Monitoring Team is the need to improve and develop the Committee's List further. The Committee is considering adopting several of the recommendations included in the report. In this regard, I would like to encourage in the strongest possible terms all member States to cooperate with the Committee in submitting new names to the Committee's List. The List currently holds the names of 429 individuals and entities belonging to or associated with Al Qaeda and/or the Taliban.

As we all know, that is, sadly, only a small fraction of the actual number of individuals and entities which are in fact associated with Al Qaeda or the Taliban. Security Council resolution 1526 (2004) reiterated the importance of proposing such names to the Committee, unless to do so would compromise investigations or enforcement actions. I understand that there can be many reasons for not submitting names to the Committee, including concerns regarding due process, the delisting of certain names and the potential stigmatization of listed persons. I strongly believe, however, that Member States and the Committee can resolve such concerns together. The Committee will ask the Monitoring Team to explore the reasons for non-submission of names. It should, of course, be noted that the names of Al Qaeda and Taliban members are mostly unknown and such individuals are difficult to identify unless they are caught preparing or committing terrorist acts or while providing assistance to those belonging to or associated with the Al Qaeda network.

The Committee is aware that it has work to do with regard to refining its List. The Committee will ask the Monitoring Team to submit to it a list of practical and achievable technical corrections and I will encourage Member States to inform the Committee should they have technical corrections. Soon the Committee will also consider the status of deceased individuals and how best to deal with such situations regarding the Committee's List to ensure that their assets do not fall into the hands of terrorists. In its work, the Committee will continue to give due consideration to the fact that sanctions implementation, including in the context of delisting procedures, must take place in accordance with the Charter of the United Nations and international law.

The need for further cooperation between the Committee and Member States is emphasized in resolution 1526 (2004), which provides States with an opportunity, at the Committee's request, to send representatives to meet with the Committee for more in-depth discussion of relevant issues. I fear that this rather cryptic language may have caused some uncertainty regarding who should take the initiative: the State, which has been provided with an opportunity, or the Committee, which makes the request? Unfortunately, the result has been that no such meetings have been held. I should like to take this opportunity to invite all interested States that may wish to meet in such a manner with the Committee to do so. I should also stress that the purpose of such meetings will be to learn more about member States experiences and concerns and to explore ways to improve the sanctions regime. I should also note that several member States participated in Committee meetings last

year, under the previous resolution, and that was a very productive exercise which we will seek to repeat.

As I shall detail shortly, I plan to undertake further visits to Member States as requested by the Council in resolution 1526 (2004). I find that these visits are an invaluable tool in improving cooperation between the Committee and Member States. My previous visits have helped the Committee focus on issues of concern to States and have highlighted new trends and methods used by Al Qaeda.

With the support of the Monitoring Team and in close cooperation with the CTC, the Committee intends to consolidate and promote the achievements of the United Nations in the fight against terrorism. In that regard, the Committee aims to work diligently to fulfil the mandate entrusted to it by the Security Council. Therefore, it will continue to explore how it can motivate States to fulfil their obligations to implement the measures against Al Qaeda and the Taliban.

The Committee and its members understand that international terrorism poses a long-term challenge to the whole world and to each country individually. And international terrorists are swiftly adapting their strategies, tactics and methods, as we have witnessed in the last few months. For that reason, the sanctions tool must be not only a powerful and well-targeted one, but it must also be implementable. The sanctions regime should, therefore, be carefully monitored on a regular basis and adjusted accordingly, as necessary. The Committee, with the assistance of the Team, is currently exploring how to improve the implementation of the existing sanctions measures, or even, eventually, adopting new ones.

One thing is absolutely certain in this endeavour being undertaken by the international community and individual States: there are no quick fixes, short-cuts or easy remedies. Rather, the task requires systematic, persistent and exacting work, accompanied by constant analysis of what has been carried out and responding to the following questions: "Are we moving in the right direction? Do we have sufficient clarity on how to proceed? Have we made mistakes? Have we learned from our mistakes?" If we do not ask ourselves these questions, I fear that the terrorists associated with Al Qaeda and the Taliban will, and will take pertinent steps.

That said, I would like to highlight some concrete tasks before the Committee.

First, there is a need to further improve the quality of the List. The List — although imperfect — already plays a very important deterrent role, but its completeness and accuracy are essential for the success of the sanctions already established. As I said earlier, the Committee relies on the assistance of Member States to improve the List.

Secondly, there is a need to focus more closely, through the activities of the Monitoring Team, on the results of States' sanctions enforcement activities, with a view to detecting problems faced by States in implementing them. The case studies to be conducted by the Monitoring Team should prove invaluable in that respect. The Committee and its Monitoring Team stress that States should not feel that their international prestige or good reputation will be undermined by acknowledging problems in their implementation efforts or by having been exposed to terrorist activities on their territory. The fact is that no country in the world can consider itself immune to terrorism.

Thirdly, the Committee's work in the area of delisting and exceptions pursuant to resolution 1452 (2002) needs to be boosted. It is likely that States would be more forthcoming in submitting the names of individuals and entities for addition to the List if they were sure that there was a reliable mechanism to correct possible mistakes or to provide for necessary basic expenses for the persons included on the List.

Fourthly, travel by the Chairman and by members of the Security Council, the Committee and the Monitoring Team must continue to receive support. While much useful work can be done in New York, in order to be effective the fight against terrorism requires constant evaluation of how sanctions measures are being applied on the ground. Based on my own experience, which includes visits to more than a dozen countries, I am convinced that without continuous monitoring on the ground, our efforts will be fruitless. Visits to the countries help us learn. In the near future I am planning to visit several important countries in Asia, and I will be travelling to Central Asia and Europe in November. The Monitoring Team will be travelling to Africa, Europe and Asia in order to promote their work and seek the cooperation of Member States for the studies they will undertake.

Fifthly, it is necessary to listen more attentively to you, the Member States, and to provide the opportunity to share your views and concerns, so that

you can receive the needed assistance. In that connection, the written assessment of the reports submitted to the Committee by over 130 States pursuant to resolution 1455 (2003) will be completed in the next 120-day period.

Sixthly, there is a need to increase cooperation and coordination: with the CTC and its Executive Directorate, in line with the meetings already held and planned for the very near future; with the Committee established pursuant to resolution 1540 (2004); and with all international agencies or organizations that have accumulated experience and specialized expertise in the fight against terrorism. Some States have already come to realize how important it is to coordinate their efforts at the national level to combat terrorism. It is doubly important to do so at the international level. What is needed is a coordinated approach involving all participants in the fight against terrorism, while fully respecting their distinctive mandates.

It is clear that the Committee will have a busy time ahead in its efforts to adapt the sanctions to better target Al Qaeda and the Taliban. In this effort there is a need to think of new ways to defeat terrorism and its perpetrators. I know that I will have the full support of the Committee in this task, and I urge all other Member States to also assist us in this vital undertaking. As I have already explained, this assistance can be given both by submitting new names for inclusion in the List and by meeting with the Committee to share experiences and ideas on what issues we need to consider and how sanctions can be developed and improved.

I look forward to the dialogue I will have with Member States in my upcoming travels and also to hearing from the Monitoring Team on the experiences during their visits. It is my firm belief that when I give my next 120-day report to the Council I will be able to draw on the lessons learned from my travels, from the Monitoring Team's next report and from the meetings that I hope will take place between the Committee and interested Member States in the interim.

The continued fight against Al Qaeda and the Taliban is of the utmost importance. I trust we never hesitate, never pause, never remain satisfied with what we have accomplished and that we never falter. The Committee's work will continue to be guided by this principle in order to contribute to a more peaceful, secure and cooperative world community.

The President (*spoke in Spanish*): I thank Ambassador Muñoz for the ample information he has provided and for his kind words addressed to me.

I will now call on the members of the Council who wish to speak.

Mr. Holliday (United States of America): Ambassador Muñoz has provided us with a very helpful, informative and specific overview of the recent work of the Security Council Committee established pursuant to resolution 1267 (1999) and the important contribution that the Monitoring Team has made in support of those efforts. Recent events, particularly in the Russian Federation and affecting Australian citizens in Indonesia, serve as a sad and sobering reminder that the global threat of terrorism persists. The Monitoring Team's 31 July report correctly notes that the international community has made important progress in combating the threat posed by terrorists associated with Al Qaeda and the Taliban. We and our allies have weakened Al Qaeda's ability to launch new operations by freezing more than $140 million in assets linked to many individuals and entities affiliated with the Al Qaeda network and other terrorist groups. The freezing of terrorist assets remains a top United States Government priority. We strongly encourage those nations that have not already done so to enact domestic legislation to permit the freezing of terrorist-linked assets.

The Monitoring Team's report also noted that individual Member States cooperate more closely than ever in sharing information and mounting joint efforts to defeat our terrorist enemies. That cooperation remains essential to ensure full sanctions implementation by all States.

We must continue to set the bar high in our shared fight against Al Qaeda. We need fresh and imaginative ideas to defeat our terrorist foes, particularly as they formulate new strategies to undermine international peace and security. The Monitoring Team's report appropriately notes that the nature of the Al Qaeda and Taliban threat has evolved since the Security Council first imposed measures against the Taliban and Osama Bin Laden under Security Council resolution 1267 (1999). Al Qaeda has become a global network of groups, no longer bound to one nation's borders, that pose a threat to all freedom-loving peoples around the globe. We need to ensure that we continue to refine and tailor existing measures

and consider additional steps that may be needed to address the constant evaluation of the Al Qaeda and Taliban threat.

In closing, Sir, I would like to commend Ambassador Muñoz and his delegation for their vigorous and expert leadership of a Security Council Committee that has become a critical focal point for our shared efforts to combat terrorism. The United States delegation also welcomes the efforts of the new Support and Sanctions Monitoring Team established pursuant to Security Council resolution 1526 (2004), led by coordinator Richard Barrett, in support of the work of the Committee. We will draw heavily on its expertise to provide ideas on how States might further enhance their counter-terrorism efforts. In that regard, I am pleased to note that two members of the team recently visited Washington, D.C., to meet with senior counter-terrorism officials from my Government. The United States Government stands ready to assist the Council's efforts against the threat posed by Al Qaeda and we will provide leadership where necessary. It is a fight none of us can afford to lose. Our efforts must be tireless.

Sir Emyr Jones Parry (United Kingdom): The United Kingdom fully associates itself with the statement soon to be made by the Dutch Ambassador on behalf of the European Union and the acceding States.

As recent events have shown, the threat of terrorist attack is ever present. The United Kingdom Government has already offered its condolences to the people of Russia and Indonesia. Such attacks underline again the need for the international community to do everything possible to prevent future attacks. That is why the briefing of Ambassador Muñoz today is so important, as is his personal commitment and efforts on behalf of the Committee. His visits to Member States have been particularly important. They provided opportunities to discuss the importance of sanctions, to promote the work of the Committee and to find out how sanctions are being implemented at an operational level. This has been key to raising the international profile of the sanctions and the work of the Committee. Ambassador Muñoz will have the fullest support of the United Kingdom.

I welcome the Al Qaeda and Taliban Monitoring Team's report which identifies the changing nature of the threat from Al Qaeda and the Taliban. That report has inspired the Committee, both by making practical recommendations on implementation and by providing new insights into issues which have proved contentious for the Committee in the past. We cannot shy away from such issues and the Monitoring Team's report and recommendations have already stimulated discussion and provided a basis on which to focus debate. We must move that discussion forward now. The United Kingdom fully supports the future activities supported by the Chairman of the Committee.

I would like to touch on two points which seem particularly key to the success of the sanctions and of the Committee. First, here is the Consolidated List. It is not a List for use by the Security Council or the Al Qaeda and Taliban sanctions Committee alone. The List belongs to each and every Member State. Every State must be encouraged to take ownership of that List. One of the most important ways to do so is by submitting names for inclusion on that List, where there are names that should be provided.

It may be, as the Chairman has inferred, that some States have refrained from submitting names because they are unsure how to do so, or they believe there is a stigma attached to admitting that there may be Al Qaeda or Taliban associates in their country. But as Ambassador Muñoz argued, we should all do everything possible to combat that perception. The threat from Al Qaeda is common to many States, and submitting names of its associates demonstrates a State's clear mutual commitment to fighting terrorism.

Secondly, I would like to speak broadly about cooperation, whether between States to facilitate implementation between regional organizations or experts, or on a national domestic level. Cooperation is crucial to the success of the sanctions and the fight against terrorism. Therefore, the recommendations of the Al Qaeda Committee and the Monitoring Team are very welcome, but there should be closer cooperation with the Counter-Terrorism Committee and its executive directorate. In particular, I welcome the way Ambassador Muñoz emphasized that point. The work of the sister committees are key priorities which merit the substantial consideration of the Council. Each has much to gain from the other.

Another welcome recommendation from the Monitoring Team is that information on the list should be shared with national intelligence agencies and financial institutions — partners in our effort to combat

terrorism and crucial to ensuring our rapid reaction to new entries on the List. We tried to do this in the United Kingdom and the value seems evident. Recent statistics show us that the information drawn from the Consolidated List and placed on the Bank of England's web site is now getting something on the order of 50,000 hits per month. Sharing such information is pivotal.

Today's discussion is another stage in the international community's response to the fight against terrorism. Much is being achieved, but the lessons of recent events underline the need for us all to redouble our efforts. Protection against the scourge of terrorism in all its aspects is one of the key challenges for the United Nations and all its Member States, as well as for all the other regional organizations that also have vital contributions to make. We have to live up to that challenge.

Mr. Akram (Pakistan): I would like to join other delegations in expressing our gratitude to Ambassador Muñoz, Chairman of the Al Qaeda and Taliban sanctions Committee, for his second 120-day briefing under paragraph 12 of Security Council resolution 1526 (2004). We also thank the Al Qaeda and Taliban Monitoring Team for their first six-month report under resolution 1526.

Our meeting today closely follows the third anniversary of the tragic events of 11 September 2001, which shocked the entire world and evoked universal condemnation. The recent terrorist attack on innocent school children and their parents in Beslan was a gruesome reminder of the continuation of this threat. We extend our profound condolences to the victims and to the Government of the Russian Federation. Last week's bombing of the Australian Embassy in Jakarta is but the latest reminder of our vulnerabilities to globalized terrorism.

Terrorism, whether perpetrated by individuals, groups or States, poses an ever-present threat to many countries. Today, it also threatens Pakistan's vital national interests. We have therefore participated actively in the global campaign against terrorism. We have led the way in capturing the majority of the leadership of Al Qaeda and over 500 terrorists. Our campaign is ongoing on the Afghan-Pakistan border, in bilateral cooperation with the major Powers and within the United Nations.

Our success against the terrorists has, naturally, attracted increased terrorist attacks, including against our President and Prime Minister. The Monitoring Team of the 1267 Committee, which visited Pakistan in July, noted in its report the convincing demonstration of our determination to fight the terrorists.

It would be simplistic to expect the Security Council's sanctions regimes alone to eliminate the threat of terrorism. The campaign against terrorism must be pursued with full comprehension of the threat and with a clear strategy for success.

We have noted the work done by the Committee during the past four months. We have also noted the recommendations of the Monitoring Team. We will continue to work closely with the Committee and the Team in their efforts to improve the sanctions.

I have a few comments to make about the work of the Committee and the Monitoring Team. First, we share the Chairman's view that the completeness and accuracy of the Consolidated List is essential for the success of sanctions. This would also help States in prosecuting or extraditing listed individuals and entities.

Second, the Committee should continue to further improve the delisting procedures and address due process concerns. Third, the implementation of financial sanctions should not unduly target Islamic charities or discourage people from making contributions for charitable purposes, which is an Islamic obligation.

Fourth, the Committee should use the term "associates" carefully. Expansive interpretation of that term to target diverse terrorists as being linked to Al Qaeda runs the risk of diluting the focus of the Committee.

Fifth, visits to States by the Committee Chairman and the Monitoring Team should be used to foster cooperation through facilitation of the provision of technical assistance and constructive dialogue. We hope that post-visit briefings and reports will continue to be made on a regular basis. These have been useful in enhancing the Committee's understanding and in promoting transparency.

Sixth, the Committee's efforts to cooperate with other United Nations bodies should be pursued, as pointed out by the Chairman today, while fully respecting their distinctive mandates. Seventh, we have

noted the Monitoring Team's concerns regarding the threat of Al Qaeda's constructing bombs that disperse a chemical, biological or radiological pollutant or making a dirty bomb or other weapons of mass casualties. We believe that there is a need for a realistic evaluation of that threat, which should not divert the Committee from fulfilling its central mandate.

The threats of terrorism by weapons of mass destruction can and should be addressed through steps under resolution 1540 (2004) of the Council, as well as through the faithful implementation and improvement of existing international regimes dealing with weapons of mass destruction issues.

We believe that the Committee also needs to adopt a discerning approach in dealing with the Taliban, bearing in mind the political and security realities in Afghanistan and the policies of President Karzai's Government.

Terrorism continues to be a global threat requiring a coordinated international response. Paragraph 2 of the Monitoring Team report indicates that Al Qaeda has evolved into "a global network of groups unbound by ... structure but held together by a set of overlapping" ideological goals. It appears from the report that that evolving network generally avoids using conventional means of finance, travel or arms acquisition. That underscores the need for a matching response to prevent future terrorist attacks.

Global cooperation against terrorism has been highly successful. Determined and collective action has contained and destroyed the violent agendas of the terrorists. The immediate anti-terrorist response must, however, be accompanied by a clear, long-term strategy for success in ensuring an end to this murderous tactic. Such a strategy must include the following elements.

First, there must be consensus on a definition of terrorism. Secondly, the terrorists' cause must be delegitimized by addressing issues such as foreign occupation, the denial of self-determination, military intervention and the use of force. Thirdly, broader structural issues must be addressed, including political and economic injustice. Fourthly, we must ensure that counter-terrorism does not violate fundamental human rights or provoke a clash of cultures.

Attempts to identify terrorism with Islam are both unfair and counterproductive. They defame our sacred and peace-loving faith; unwittingly they accord terrorists an ideological respectability they do not deserve; and they intensify hostility. They weaken those who propagate moderation and cooperation. In this context, we would urge consideration of the strategy of enlightened moderation proposed by President Musharraf of Pakistan.

We agree with the Chairman that we need to do a lot more to defeat terrorism. The Al Qaeda and Taliban sanctions Committee and the Security Council can reinforce and coordinate, but they cannot substitute for national and regional actions. The success of the Committee hinges on the cooperation it receives from States, as well as on the comprehensiveness and clarity of our response to the terrorist threat.

Mr. Baja (Philippines): My delegation, too, welcomes this public meeting today, which gave us the opportunity once again to listen as our colleague, Ambassador Heraldo Muñoz, Chairman of the sanctions Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban, provided us with a comprehensive briefing on what is being done by the Committee, as well as on its future plans in addressing international terrorism — one of the serious global concerns that spares no country or individual, as recent events in the Russian Federation and Indonesia have shown. My delegation commends the efforts and the activities of the Committee, as highlighted by the personal commitment of Ambassador Muñoz in addressing the situation.

We also welcome the very informative report submitted to the Committee and the Security Council by the new Analytical Support and Sanctions Monitoring Team established pursuant to resolution 1526 (2004). It is important to look closely at the recommendations that it has put forward based on its analysis of the national reports, which have increased to 130 submissions, thanks to the combined efforts of the Committee and the Monitoring Team. We now have a broader and more comprehensive basis from which to draw patterns, trends and conclusions to further strengthen the sanctions regime against Al Qaeda and terrorists.

We also note the caveat expressed by both the Chairman and the Monitoring Team report that there is a lot more work to be done because of the mutations in how the Al Qaeda terrorists are organized and operate,

which the Monitoring Team terms "current Al Qaeda methodology".

The Council should take note of the information from Ambassador Muñoz that Al Qaeda is currently a global network rather than an organization with a structure and a hierarchy. Al Qaeda no longer needs large sums of money to mount terror attacks, and consequently it is able to finance such actions in less detectable ways. Among the difficult-to-scrutinize financing sources are proceeds from crime; diversions from charitable donations, even inheritance sums; counterfeit-currency trading; credit-card fraud; the drug trade; and even an ancient financial system by which many brokers can move cash from one office to another based on trust.

Al Qaeda has become more flexible in staying ahead of sanctions. We therefore support Ambassador Muñoz's observation on the need to strengthen the sanctions regime that the Council has been implementing. That has become urgent as Al Qaeda has decentralized into loose networks of affiliated groups with the capacity to inspire terror attacks through means not currently proscribed. In that connection, submissions to the Council — particularly the Lists — should be accurate and sufficiently detailed to be useful. The suggestions just made by Ambassador Muñoz deserve the Council's most serious consideration; we fully support them.

We also welcome the very informative reports submitted to the Committee and to the Security Council by the sanctions regime. It is important to immediately establish identifiable patterns through intelligence and to adopt effective measures to deter the plans of Al Qaeda. That should be a conscious objective underlying all global counter-terrorism efforts. International cooperation on all fronts — multilateral, regional and bilateral — can complement everyone's efforts and can have multiplier effects.

We also welcome the continuing collaboration and coordination of the 1267 Committee with the Counter-Terrorism Committee (CTC). In that regard, my delegation fully supports the visits on the ground being conducted both by the Chairman and by the Monitoring Team, as they provide practical insights on evolving Al Qaeda operations, on specific problem areas encountered by States in implementing the sanctions regime and on what measures can be adopted to enhance international cooperation and to support national efforts in countering Al Qaeda operations.

The Philippines welcomed the recent visit of the Monitoring Team to Manila and to other capitals in our region, where a forthright exchange of experiences with the operational implementing agencies resulted in valuable information for further strengthening national and international efforts against terrorism. The Philippines stands fully committed in the global fight against terrorism and will continue to share its experiences in further refining measures against the emerging new methodologies of Al Qaeda.

Mr. Motoc (Romania): I wish to join others in thanking Ambassador Muñoz for his highly informative oral report, which we fully support. I would also like to welcome the presence of Mr. Richard Barrett, the Coordinator of the Monitoring Team, and to express our appreciation for the comprehensive and lucid report prepared by the Team.

As Romania aligns itself with the statement to be delivered shortly by Ambassador van den Berg of the Netherlands on behalf of the European Union, I shall confine myself to a few brief comments.

We should focus the assessment of the work of our Committee around the worrisome conclusions drawn by the Monitoring Team and highlighted in Ambassador's Muñoz's report, according to which the threat from Al Qaeda-related terrorism remains as great as ever. Al Qaeda, although significantly affected by the decisive actions taken against it by the international community, not only has survived but also has continued to engage in criminal, indiscriminate attacks around the world.

Today we are deliberating in the looming shadow of the commemoration of the third anniversary of the attacks of 11 September 2001. The grief of so many bereaved families, the shock of a nation and the distinct feeling that the camp of the peace-loving has deadly enemies are all very much present with us today. Indeed, the United Nations and the Security Council have come a long way in the three years that have elapsed in helping the international community to strengthen and organize its response to modern-day terror. The Counter-Terrorism Committee (CTC), the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities, and

those who have chaired or served them as members or supporters deserve our limitless praise for that.

However, there is much more to accomplish and much more to be learned from the experience so far gained at the level of the Security Council and much more to be acted upon in addressing identified gaps or shortcomings. Reviewing our progress and adjusting our response to the evolving menace with which we are confronted are constant imperatives and permanent challenges. And herein, I believe, lies the main reason why I can safely say that Ambassador Muñoz and his 1267 Committee fully live up to the high expectations placed on them.

As the Security Council assumes a leading role in the fight against terrorism and Al Qaeda, it must constantly reconfirm its ability to deliver on its responsibilities under the United Nations Charter. Effectiveness, cooperation and assistance are the key parameters of that complex undertaking. Given the changes in the nature of the threat posed by Al Qaeda, effectiveness means continuous adaptation on the part of the Council and the 1267 Committee to those changes, including by constantly refining the sanctions regime and by ensuring its proper and full implementation. Romania, in its capacity as Vice-Chair of the Committee, stands ready to actively participate in efforts to identify the most appropriate solutions in that respect. It is in that context that we would like to express, on a preliminary basis, our appreciation for the set of recommendations put forward by the Monitoring Team, which are currently under scrutiny by the members of the Committee.

Al Qaeda's target is the international community as a whole, and the threat represented by Al Qaeda is therefore global. As the past year's attacks have demonstrated, no country in the world is immune any longer to terrorism. Terrorism strikes indiscriminately from New York to Madrid and Bali and from Moscow to Istanbul and Beslan. Effectively combating this scourge — in particular the acts committed by this gruesome terrorist network — requires a global response and active participation by all United Nations Members.

Full cooperation by Member States in strictly implementing the sanctions imposed by resolution 1526 (2004) must be supplemented by close cooperation among the 1267 Committee and other subsidiary bodies of the Security Council — in particular the CTC, its newly established Executive Directorate and the Committee established by Security Council resolution 1540 (2004), as well as other relevant international agencies and organizations. In welcoming the progress in strengthening the cooperation between the 1267 Committee and the CTC, I would like to assure Ambassador Muñoz of my entire readiness to discuss, in my capacity as Chairman of the 1540 Committee, possible synergies among our Committees.

As stated repeatedly within the Council, in fighting terrorism, the international community is as strong as its weakest link. It is therefore in the global interest to ensure that every single Member of the United Nations is able and willing to put in place all the necessary measures for effectively combating this scourge. In order to achieve that goal, it is therefore vital that assistance be provided to the most vulnerable countries, including by continuing the practice of on-site visits.

Finally, I would like to extend Romania's deepest sympathy and heartfelt condolences to the people and Governments of Indonesia and Australia and to the families of the victims of the most recent outrageous terrorist attack committed on 9 September against the Australian embassy in Jakarta. This is, sadly, yet another proof of the fact that the fight against terrorism is far from over and that it has to remain a top priority of the Security Council.

Mr. Denisov (Russian Federation) (*spoke in Russian*): At the outset, given the theme of today's meeting, let me thank all those who have responded to the latest terrorist attacks against Russia, particularly the tragedy of unprecedented magnitude in the Russian city of Beslan.

The Security Council adopted, on 1 September, a presidential statement condemning the recent terrorist acts in Russia and appealing for increased international efforts at a time when terrorists have launched a global war. Today, two days after the anniversary of the tragedy of 11 September, it is clear to all that the war on international terrorism is far from completion. The most recent reminder of this was the terrorist attack against the Australian embassy in Jakarta.

It is important that the international community has responded as a united front and has demonstrated effective solidarity in this fight against terrorism. A serious role in consolidating Member States' counter-

terrorist efforts must be played by the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and Associated Individuals and Entities. In the last four months, the Al Qaeda and Taliban sanctions Committee has continued to take an active role in ensuring the effectiveness of the restrictive measures imposed by the Security Council against the Taliban, Al Qaeda and their accomplices. We are pleased to note that the Consolidated List of the Committee has been supplemented in this period of time with new names and information essential to ensuring the appropriate identification of terrorists. Considerable progress has been made in adapting the procedures of this body's work to the requirements of resolutions 1455 (2003) and 1526 (2004).

The groundwork has been laid for genuine cooperation between the Al Qaeda and Taliban sanctions Committee and the Counter-Terrorism Committee (CTC). Contacts and efforts to enhance coordination of the activities of both these committees are under way, both at the level of the Chairs and at the level of expert groups. As the current Chair of the CTC, we would like to reaffirm our fundamental intent to accelerate the pace of such cooperation.

Solid support for the efforts of the Al Qaeda and Taliban sanctions Committee in the implementation of its mandate is provided by the Analytical Support and Sanctions Monitoring Team, which has recently provided its first report (S/2004/679), containing an assessment of the impact of the sanctions regime. We share the majority of the conclusions and recommendations of this report. We note that the assessments of the team with respect to the scope of the threat that continues to be posed at this juncture by the Taliban and Al Qaeda to the international community and to security fully coincides with our own conclusions and recommendations. In particular, we agree with the fact that the leaders of the Taliban and Al Qaeda continue to maintain close contacts with each other. We are also certain that, were the Taliban to acquire control of at least a portion of the territory of Afghanistan, one could soon anticipate the emergence there of new bases of international terrorism.

We support the view of the Monitoring Team that, in the near future, the Security Council needs to give additional clarifications with respect to the scope of the arms embargo and the travel ban. Currently, the provisions of resolution 1526 (2004) do allow for varying interpretations of these elements of the sanctions regime, thereby reducing the effectiveness of relevant measures. More precise and comprehensive indications to this end are meant to tangibly ease the task of Member States in appropriately complying with these bans.

In conclusion, let me again underscore that success in the fight against terrorism depends directly on the unity of the efforts of the entire international community. In this context, we believe it is important to build a dialogue of trust between Member States and the Al Qaeda and Taliban sanctions Committee on all aspects of the sanctions issue.

One key tool in the sanctions regime is the Committee's Consolidated List. We have had occasion to hear considerable complaints with respect to the completeness and accuracy of the information contained therein. One can discuss the flaws of the List at great length, but complaints will not help the matter. The Committee clearly does need support from Member States, and we call on Member States to provide such support, including through the submission of additional information to enhance the effectiveness of the contents of the List.

Mr. von Ungern-Sternberg (Germany): First of all, I would like to thank the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and Associated Individuals and Entities, Ambassador Muñoz, as others have already done, for his comprehensive briefing, for his personal commitment and for his very hard work. We also thank the Monitoring Team for their instructive report.

As Germany fully subscribes to the forthcoming statement by the presidency of the European Union, I can limit my intervention to the following three points.

First, the sanctions regime needs and deserves the active support of all United Nations Member States. The terrorist threat remains imminent on a global scale, as the most recent attacks in Jakarta and Beslan tragically demonstrated. Let me again express Germany's sincere condolences to all the victims and their families, and to the Governments of Indonesia, Australia and Russia.

As all States are targeted by such heinous crimes, all bear a common responsibility to act. The Al Qaeda and Taliban sanctions regime is an essential legal and

logistical framework for such action, and it is, in our view, a successful one. Although the amount of assets frozen and the number of targeted individuals stopped at border crossings may be limited, the preventive effect of the measures should not be underestimated.

My second point concerns the Consolidated List. Completing and updating the List is essential. The sanctions regime is far from perfect. Its central tool is the Consolidated List. We share the view of the Monitoring Team that the List needs to be constantly completed and updated with the assistance of Member States. The List can only be as good as the data provided by States. Germany has identified a number of individuals for inclusion on the List. In every case, we have provided extensive identification data and well-documented information about their criminal background, including their link to Al Qaeda and the Taliban. The revised guidelines for the Committee's work, which we hope will soon be finalized, are intended to further facilitate close interaction between Member States, the Committee and the Monitoring Team.

My final remark concerns delisting. The issue of delisting is of growing importance, in particular as regards justly listed individuals who later turned their backs on terrorism. Listing and delisting are two sides of the same coin. We are convinced that if an individual's name must be put on the sanctions List on account of his terrorist crimes and links, his name must, following the same logic, be removed from the List if and when he credibly and durably changes his life and firmly rejects all such terrorist actions and affiliations.

Such delisting is, on the one hand, an issue of material justice and due process in relation to the individual concerned. It is, at the same time, an issue pertaining to the clarity and correctness of the List itself. Moreover, the prospect of being delisted can be an important incentive for the individual concerned to cooperate with counter-terrorism investigations. That positive potential of the sanctions regime deserves careful consideration.

We therefore welcome the Monitoring Team's intention to review current delisting procedures and to develop proposals for their clarification and transparency. We are convinced that all that will enhance the credibility of the sanctions regime and improve proactive cooperation of States with the Committee.

In conclusion, I would like to underline Germany's determination to continue to interact closely with the Committee and with all concerned, with a view to further improving this important instrument for countering terrorism worldwide.

Mr. Duclos (France) (*spoke in French*): I wish to thank the President for having convened today's meeting on a topic of great concern to the international community. I also wish to express my appreciation to Ambassador Muñoz for his very clear and precise briefing.

I would like to associate myself in advance with the statement to be made by the Permanent Representative of the Netherlands on behalf of the presidency of the European Union. I shall therefore confine myself to a few brief comments.

I must first note that this debate is taking place approximately three years after the deplorable events of 11 September. Unfortunately, since then we have become more familiar with the face of modern terrorism, which is not an American nightmare but, rather, a real threat affecting all the continents of the world. We therefore stand by the victims and, at the moment, our collective thoughts are with the victims of the events in the Caucuses and at the Australian embassy in Jakarta. We once again extend our condolences to the bereaved families of those events.

Terrorism affects the entire international community. It calls for an extremely energetic response that is without weakness and that takes into account the complexity of the phenomenon. That response must also be based on unity within the international community. In that regard, one important contribution made by the work of Ambassador Muñoz and the Monitoring Team has been to provide a clear, convincing and well-argued analysis of the changing threat posed by the Al Qaeda network and the Taliban. That threat has undoubtedly been, to a certain extent, contained and weakened by the forceful response of the international community. At the same time, however, it is also a threat that has survived and evolved into a new, more diffuse form that is, in some respects, more difficult to combat. How, then, should the work of the Committee established by resolution 1267 (1999) proceed? I believe that we should take three courses of action.

First, we must adapt our instruments — and in particular the instrument of sanctions — to the changing nature of the threat. The Monitoring Team has rightly argued for maintaining sanctions in an adapted form as a result of its identification of a number of gaps. It has therefore proposed specific measures to bridge those gaps, including through better coordination and cooperation with the Counter-Terrorism Committee (CTC). The Al Qaeda Committee has begun to consider those recommendations. For our part, we are fully resolved to engage in that consideration in the most constructive spirit possible.

The second course of action pertains to the need to strengthen the cohesiveness of the international community. In that regard, we support the proposal of Ambassador Muñoz to intensify contacts with Member States in New York, as well as in the course of visits to the countries concerned, in order to explain the efforts of the Committee, propose assistance where possible and remind countries of the cooperation that is expected, which is sometimes lacking. It is especially necessary that all Member States cooperate in order to provide better and more precise information with regard to individuals on the List.

The third, and final, course of action pertains to respect for the rule of law, to which the Secretary-General referred last Wednesday in Mexico. He stated that we must find measures to combat terrorism in an effective manner, but that we must also ensure that those methods do not undermine the rule of law and the fundamental rights of citizens. In pursuing our constructive efforts in the Al Qaeda Committee, my delegation will remain vigilant in order to ensure that the principle of effectiveness and respect for the rule of law are both complied with.

Mr. Wang Guangya (China) (*spoke in Chinese*): I would like to thank Ambassador Muñoz for his very comprehensive briefing.

The day before yesterday marked the third anniversary of the attacks of 11 September. While we mourn the victims deeply, we also believe that it is necessary to look into more effective ways and means to further cooperation in our fight against terrorism. Much has been achieved in that fight in the last three years. The Counter-Terrorism Committee (CTC) and the Committee established pursuant to resolution 1267 (1999) have made very important contributions in that fight. However, the specter of terrorism continues to threaten international peace and security. The recent terrorist attack against Chinese construction workers, the explosion at the Moscow subway station, the hostage-taking event in Beslan and the bombing in Jakarta all demonstrate that we still have a long way to go in our fight against terrorism.

Terrorism is a threat to all humankind that should meet with a resolute response on our part, regardless of when and where it occurs or of its motives. In that struggle, we should follow the purposes and principles of the Charter of the United Nations and the basic norms of international law. We should also address the problem by examining its root causes and symptoms. On the one hand, we must strike against all terrorist activities. On the other, we must promote the common development of all countries, reduce the development gap and achieve social justice in order to eliminate the root causes of terrorism.

There should be no double standards in our fight against terrorism. We must promote enhanced understanding and tolerance among different civilizations. No country should take a firm stand vis-à-vis a threat it is facing while choosing to remain indifferent to other threats it considers remote. Doing so would send the wrong signal to terrorists and lead to further disasters. Moreover, it would create negative serious consequences for our international fight.

China supports the United Nations in playing a leading role in our international effort against terrorism. We also support strengthening the roles of the CTC and the Committee established pursuant to resolution 1257 (1999), given current developments. The fight against terrorist activities emanating from eastern Turkestan being undertaken by the Government and people of China is an important component of the international effort against terrorism and Al Qaeda. China will continue to implement the relevant Security Council resolutions and to participate actively in the work of both Committees. We will also make our contribution to striking against the Al Qaeda terrorist network.

Mr. Adechi (Benin) (*spoke in French*): Allow me to thank Ambassador Muñoz for his exhaustive and very informative briefing on the activities of the Security Council Committee established pursuant to resolution 1267 (1999) over the past four months.

We also note that this meeting of the Security Council is being held in the wake of the

commemoration of the third anniversary of the horrendous and tragic attacks of 11 September 2001.

The blind, criminal violence of terrorism continues to strike wherever it wishes. Terrorism has struck Beslan, in Russia, where hundreds of children and parents were killed; a diplomatic mission in Jakarta; and many other places where humanitarian workers are active, demonstrating unparalleled disdain for human life and an unrestrained assault against the essential principles on which today's international society is based. We therefore welcome the activities of the 1267 (1999) Committee, which has assumed its due place among the instruments used in the fight against international terrorism as a responsive political monitoring body entrusted with managing the sanctions adopted by the Security Council against persons and entities associated with Al Qaeda and the Taliban, in close cooperation with the Member States.

The complexity of the task has required us to increase the human resources available to the Committee by establishing a group of experts to monitor the implementation of sanctions. We are pleased to note that the Committee and the experts group assisting it in its work have developed genuine synergy enabling them to monitor the relevance and efficacy of sanctions. In that regard, the results obtained to date are praiseworthy.

If terrorism has been able to persist with the virulence we have seen recently, it is because it has continuously adapted itself in response to the measures taken to counter it. We therefore welcome the Analytical Support and Sanctions Monitoring Team's stress on the varied ways in which the threat has evolved and the shortcomings in the current arrangements established to address it. The assessment calls on us either to revise the sanctions regime or at least to strengthen its global implementation. Clearly, the enhancement of cooperation among States Members of the United Nations is necessary to make the Consolidated List of persons and entities associated with Al Qaeda even more comprehensive and to improve the functional utility of the information it provides.

We fully agree that those listed must be the subject of more consistent monitoring. Moreover, the ongoing violence also leads us to believe that Al Qaeda continues to find the means to finance attacks and to recruit new members to undertake them. Thus, the consideration of ways to adjust sanctions, which began within the framework of the implementation of resolution 1526 (2004), must be pursued. We look forward to the Monitoring Team's next report and hope that it will contain specific proposals for guiding the Security Council's work.

We encourage the Team diligently to carry out the measures it foresees to refine further the monitoring of the implementation of sanctions. In that vein, we welcome the actions being considered by the Team to enhance the exchange of views and dialogue with Member States on the problems they face in the campaign against terrorism. The visits made or planned to certain countries will contribute to that dialogue and are an integral component of the Committee's quest for effectiveness. Furthermore, we believe that cooperation with the Security Council Counter-Terrorism Committee is essential and can greatly enhance the 1267 (1999) Committee's effectiveness by allowing it fully to integrate the problems identified by both Committees in the effort to improve coordination within the international community's activities. Without effective coordination, the Security Council cannot ensure the consistency necessary to guarantee its own efficacy.

Having said that, we believe that the relevant services of Member States must be pooled in order to facilitate the exchange of information between them in real time. It is also necessary to promote the establishment of conditions conducive to cooperation and mutual legal assistance among Member States. In our struggle, however, we must bear respect for international norms and law in mind.

We agree with the Monitoring Team's analysis of the reasons cited by Member States that have been unable to provide reports to the Committee, in particular given its stress on the fact that a country's failure to report does not indicate a lack of commitment or determination at the international level to fight Al Qaeda and the Taliban. In that regard, my delegation believes that we must find the means fully to integrate those countries into the information exchange arrangements, because the entire international community would benefit by reducing the vulnerability those countries experience as a result of their marginalization in the anti-terrorism campaign.

Mr. Gaspar Martins (Angola): I would like to start by expressing my delegation's appreciation for the

convening of this debate on the work of the Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban. I thank the Chairman of the Committee, Ambassador Muñoz, for his very comprehensive report on the Committee's work and on the activities of the Monitoring Team established to assist the Committee in the fulfilment of its mandate.

Despite international efforts, the threat posed by Al Qaeda and the Taliban and the groups clearly associated with them remains as real today as it has been in the recent past. The hostage-taking in the Russian city of Beslan, perpetrated against civilians — particularly shocking for its targeting of children — and the bombing of the Australian embassy in Jakarta a few days ago demonstrate the need for the international community to further address the fight against terrorism in all its forms and manifestations.

By adopting the regime of sanctions against Al Qaeda and the Taliban, the Security Council took the unprecedented step of bringing into force legislation binding on all States on the issue of combating terrorism. Such sanctions lay a strong foundation for halting the flow of money to terrorists associated with the Al Qaeda network as well as for preventing the direct or indirect supply, sale or transfer of arms and military equipment.

Despite progress achieved so far, particularly in the field of financial sanctions — judging by the levels of Al Qaeda activity — it appears that the sanctions regime imposed by the Security Council has only had a limited impact in effectively reducing the threat of terrorism. The current situation should lead to recognition of the need to strengthen the sanctions regime and, in this, we are in full agreement with Ambassador Muñoz and the set of measures he has proposed. The Committees should find additional ways of assessing the effectiveness of the implementation by Member States of the sanctions regime imposed on Al Qaeda and the Taliban and its impact, and of ensuring that credible reports of sanctions evasion result in a proactive response by the Security Council.

The implementation of financial sanctions is an important aspect of the international campaign against terrorism. We share the views expressed in the report of the Analytical Support and Sanctions Monitoring Team on that critical aspect. The Committee should continue to focus on alternative remittance systems, since the application of financial restrictions is an obligation for both the public and private sectors. The Committee should also focus its efforts on developing efficient public-private partnerships, including through the implementation of arms embargoes and travel bans. Partnerships have the potential to both complement the Committee's efforts to achieve its objectives and to contribute to its greater efficiency by introducing new working methods as required for the effectiveness of the sanctions implementation, which depends on the real and sustained support of the entire international community.

The Consolidated List, as rightly pointed out in the report, is an important tool for meeting the objectives of Security Council resolutions, especially those aimed at preventing the financing of terrorism or the enforcement of travel bans. Member States should be encouraged to submit names for inclusion on the Consolidated List in order to maintain its relevance. The Committee, for its part, should consider procedures for delisting, whenever required. States and the Committee should strengthen their cooperation, ensuring that the credibility and usefulness of the Consolidated List will have a positive impact on Committee activities.

Considering the important role entrusted to regional and subregional organizations, cooperation with intelligence services clearly needs to be strengthened. The creation, on both a regional and a subregional basis, of an electronic database containing all relevant data concerning persons, groups and entities subject to United Nations financial sanctions would provide a useful tool in the fight against terrorism. Terrorism is no longer a localized problem that can be fought by domestic action only. Measures to combat terrorism must be based on the broadest international cooperation, and in that regard we stress the importance of Security Council resolution 1526 (2004) for its emphasis on the need for further cooperation between the Committee's member States.

To conclude, my delegation would like to take this opportunity to commend the role played by the Monitoring Team in furthering the work of the Committee and in monitoring compliance with the relevant Council resolutions. We also support the programme of work of the Committee, especially those activities regarding cooperation with the Counter-Terrorism Committee and the need for permanent assessment of how sanctions are being applied on the

ground, particularly through missions by the Chairman to the areas concerned.

Mr. Baali (Algeria) (*spoke in French*): I would like to thank Ambassador Muñoz for his excellent presentation of the work of the Security Council Committee established pursuant to resolution 1267 (1999), and of the Monitoring Team established pursuant to resolution 1526 (2004).

My delegation attaches particular attention to the work of the Committee against Al Qaeda and the Taliban, convinced as it is of the seriousness of the threat posed by Al Qaeda, which has managed to adapt, continues to strike and runs rampant in various parts of the world. That is why we need to address this problem collectively and in a concerted manner. In our fight against terrorism, which should be a daily struggle, we need to show both firmness and vigilance. It is equally important that we attack this phenomenon in a resolute manner, dealing with all its various manifestations, as well as addressing all its underlying causes.

That said, there are a number of positive notes on the register of the fight against terrorism that deserve to be underscored.

First, we note that more than 130 States have already submitted reports and more than 90 countries have established teams to monitor assets belonging to terrorists, which is an additional milestone in the fight against Al Qaeda. It is now important that, in addition to submitting their reports, all Member States effectively implement the measures set out in the sanctions regime in order to vanquish that organization.

Next, I would like to note the progress made by the Committee in implementing its mandate, as well as the work accomplished by the Monitoring Team in the few months since its establishment — its support for the Committee in promoting the effective implementation of the relevant resolutions and in assessing the impact of measures announced and the recommendations proposed to enhance them, as well as the support given to the Chair of the Committee during his various visits to check on the implementation of the sanctions regime in the given countries.

In that respect, I would like to point out that the Monitoring Team has met the deadlines set out in resolution 1526 (2004) by submitting its first written report, which is not only concise, balanced and of good quality, but also outlines new ideas and makes a series of recommendations that the Committee has already begun to consider in informal meetings.

My delegation fully shares the Monitoring Team's analysis of the Al Qaeda phenomenon, which has mutated into a global network of groups linked not by an organizational structure but rather by a series of partially overlapping objectives. While underscoring that terrorism knows no religion or cultural affiliation and is indiscriminate in the selection of its victims, we cannot fail to note that the primary victims of terrorism are, in fact, the Muslim populations and countries themselves, including my own. And, increasingly, children are no longer spared by terrorist barbarities, as witnessed in the tragedy in Beslan.

With regard to cooperation between the Committee and Member States, it is clear that it continues to be one of the most important aspects of the work of the Committee. Issues that deserve special attention include enhancing the quality of the List, dialogue with States and visits to given States. In that respect, my delegation believes it would be ill-advised to suspend or remove the names of individuals or entities from the List because of insufficient information. What is important is not the information itself, but the danger or the threat posed by such individuals to peace and security.

We encourage the Chairman to continue his visits in the field in order to strengthen dialogue with Member States and to check on the implementation of sanctions measures. The visits to Asia scheduled in November will certainly be extremely useful to the work of the Committee, given the surge of Al Qaeda networks in that region and the attacks perpetrated there — most recently an attack in Jakarta against the Australian Embassy, an act which my delegation firmly condemns.

In addition, we support the Committee in the specific tasks it has to undertake. We encourage it especially to listen more attentively to Member States and to share their concerns, just as we encourage it to further develop cooperation and coordination in particular with the Counter-Terrorism Committee (CTC) and its Executive Director with the Security Council Committee established pursuant to resolution 1540 (2004) and with the international organizations and agencies who have expertise in the struggle against terrorism.

In general terms, the recommendations proposed by the Monitoring Team will enhance the sanctions regime. In that regard, we encourage the Monitoring Team to make specific recommendations to encourage Member States to submit names for the Consolidated List, to better regulate the transboundary movement of capital, to prevent the abuse of charitable organizations, and to resolve the issue of the right to asylum.

On this last matter, I would emphasize that, in my statement to the Council on 25 May 2004, I indicated that we need to think further about better use of the opportunities provided under Chapter VII of the Charter, in order to encourage States to fully cooperate in the fight against terrorism, including with respect to the issue of extradition. Concerning extradition, we would like the Al Qaeda and Taliban Monitoring Team to address the issue of the right to asylum in order to strengthen international judicial cooperation. Let me point out here that, to date, the right to asylum continues, unfortunately, to be abusively granted to terrorist organizations and to individuals involved in acts of terrorism in their countries of origin, thereby voiding the institution of the right to asylum of its substance and above all, conveying impunity to known criminals.

The rigorous collection and processing of information, in particular with respect to the issue of security, is more than recommended to provide an objective appraisal of the threats to peace and security. The rash and somewhat superficial categorization of North African nationals associated with acts of terrorism linked to Al Qaeda as being a so-called risk factor to the Arabian peninsula leaves me somewhat puzzled. Such categorization can, in fact, lead to mistaken conclusions and to dangerous distortions because, while there are North African terrorist groups, and they are indeed on the List of the Committee, those groups unfortunately and undoubtedly are not the only ones. There are other groups that are indeed rampant, not only in the Arabian peninsula, but in other countries in the world. These are the few points that I want to make in order that the Monitoring Team provide us with an objective and documented clarification in its second report, scheduled for December.

Mr. García Moritán (Brazil) *(spoke in Spanish)*: First of all I wish to thank the Ambassador of Chile, Heraldo Muñoz, for the oral briefing he has given us and for the work he and his delegation have been doing in the Chair of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban. As has been regrettably demonstrated by the recent appalling terrorist attacks in Indonesia and Russia, including the tragedy of Beslan, in which more than 300 people, half of them children, lost their lives, terrorism continues to be one of the gravest threats faced by the international community at the present time.

The possibility that those responsible for the attacks may have links with the Al Qaeda organization, as indicated by the media, indicates the scale of the task facing the 1267 Committee and the magnitude of the challenges the Committee must confront. We should also underscore the high quality of the work of the Al Qaeda and Taliban Monitoring Team established by resolution 1526 (2004). The first report presented by the Team, which is now before the Committee for consideration, is a serious and rather comprehensive analysis of the questions and problems encountered by the Committee in its work.

In this statement I shall address the work of the Al Qaeda and Taliban Monitoring Team and the initiatives to enhance contacts between the Committee and Member States. The Monitoring Team's report contains a number of suggestions to enhance the effectiveness of the work of the Committee, which deserve careful consideration. Many of the suggestions should be adopted once the Committee is in agreement.

The recommendations relating to the Consolidated List of individuals and entities subject to sanctions are particularly relevant. The List, as has already been stated, is the Committee's main working tool; accordingly, it should be given the requisite priority. It should always be kept up to date and seen always by Member States as an efficient contribution to the endeavour to combat terrorism sponsored by the Al Qaeda network. In particular, it is important to clearly establish procedures for making adjustments to the Consolidated List, should new relevant information be submitted. As the Chairman of the Committee clearly stated in his briefing, the Team has hinted at a number of measures that might be taken to improve the functionality and credibility of the consolidated list. The Committee should derive full benefit from this contribution.

In some cases, the report of the Monitoring Group indicates an intention to present recommendations, or identifies aspects of the Committee's work where they suggest adjustments should be made. In both instances, my delegation would request the Monitoring Team to present specific suggestions for the Committee's consideration.

As has been indicated, the Committee is discussing ways and means of adapting its guidelines for action to the changes introduced in the work of the Committee by the adoption of resolution 1526 (2004) and it would be important, in that regard, to have specific input from the Monitoring Team. In particular, it would be appropriate to consider expanding and clarifying the procedures relating to the delisting of individuals or entities. Such an initiative might serve as an incentive for States that may have doubts about presenting requests for inclusion of individuals or entities, because they are not clear as to the possible difficulties they would face should the need arise to remove the individual or entity from the sanctions List.

The last issue mentioned in the report, for which we need further clarification, is that of due legal process. That matter has been under consideration by the Committee for some time, without any progress having been made on the topic. Specific proposals from the Monitoring Team for the consideration of the Committee could be an important contribution in that respect.

With regard to enhancing cooperation between Member States and the work of the Committee, my delegation takes the view that adoption of measures to refine the List and clarify the procedures used in handling it are the main way in which the Committee can encourage the provision of contributions to the Consolidated List from Member States.

The travels of the Chairman and the Monitoring Team are at the same time an important instrument in garnering impressions and learning from the experience of those authorities directly responsible for counter-terrorism activities. However, as the Chairman of the Committee noted in his briefing, it is important to be able to translate the concerns and experiences of the States visited by him and the members of the Monitoring Team into adjustments in the sanctions regime, in order to make its implementation more effective.

We also support the offer made again today by the Chairman of the Committee to the effect that Member States wishing to do so, may hold meetings with the Committee to discuss pertinent topics as provided for in resolution 1526 (2004).

Lastly, as has been clear from the statements made throughout the meeting, there is a wide range of significant challenges facing the Committee to increase efficiency in its struggle against the Taliban and Al Qaeda. However, as has already been stated, terrorism is a global threat which can be combated only through the concentrated endeavours of the international community. Above and beyond the action that may be taken within the Committee or the Security Council itself, the genuine triumphs in the struggle against a scourge that does not acknowledge or respect borders will depend on the ability of the entire international community to work in concert to find solutions to the problems that lie at the origin of the inexcusable terrorist acts which unfortunately continue to be perpetrated.

The President *(spoke in Spanish)*: I shall now make a statement in my capacity as the representative of Spain.

I am grateful to the Chairman of the Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban, Ambassador Heraldo Muñoz, for his comprehensive briefing relating to the work of that important Committee over the last three months. I wish my first words to be those of appreciation for his work and that of his skilled team.

Speaking on behalf of my country, I would also like to associate myself with the statement to be made later by the representative of the Netherlands, which holds the presidency of the European Union.

With regard to the work of the Committee established pursuant to resolution 1267 (1999), I would like to highlight the impetus provided by resolution 1526 (2004) — adopted on 30 January — which has provided a strengthened framework within which the Committee can carry out its objectives. In order for that framework to be able to work in practice, however, new guidelines must be adopted relating to the work of the Committee, and these are being discussed today. We urge all States members of the Committee, therefore, to resolve the few outstanding questions as

soon as possible. My delegation will provide its full support in that respect.

With regard to the work of the Monitoring Team, we believe that it has done a commendable job in the first few months of its existence and that its report represents a key contribution to identifying problems and possible ways of improving not just the work of the Committee itself but also the activities of the United Nations in general in combating the scourge of terrorism. As Ambassador Muñoz rightly pointed out, the report reflects the opinion of the Monitoring Team only and is not, therefore, the official position of the Committee or of the Security Council. Nonetheless, we believe that the problems that it sets out and the solutions that it proposes must be tackled in depth by the Committee on an urgent basis.

The Team has rightly pointed out that the traditional sanctions system of the United Nations was designed to target States, not entities or individuals, and that in that respect it has therefore had only a limited impact. It is clear that the question of sanctions goes far beyond the scope of this meeting. In view of its importance, however, we urge the informal Working Group on General Issues on Sanctions, chaired by Ambassador Adechi of Benin, and the Secretary-General himself, to continue to work on those issues.

The Consolidated List — the Committee's main working tool — faces two problems, among others, as noted by the Monitoring Team. The first is the need to improve the basic identifying data for individuals and entities included on the List. In this regard, we believe that it would be appropriate to approach international organizations that have broad experience in combating transnational organized crime — in particular, Interpol — to assist us in that work. It is a question not of doing something new, but of applying well-tested methods that have recognized practical efficiency.

The second issue is the need to establish a procedure for the possible removal of names from the List. We believe that that is a key issue if we are to maintain sufficient guarantees for the persons or entities affected and preserve the universal legitimacy of the work of the Committee established pursuant to resolution 1267 (1999) — and, consequently, of the overall activity of the United Nations in combating terrorism.

With regard to the financial aspects, important steps forward have been taken in the context of the formal financial system to control the flow of assets that could be intended for the perpetration of terrorist acts. In this regard, we should highlight the work done by the Financial Action Task Force (FATF), which, through its eight special recommendations on counter-terrorist financing, has set an example of efficiency. Spain would like to see the scope of the application of the FATF to be extended from its current 31 members to all the States Members of the United Nations. It is certainly well known that the problem of the financing of terrorism is the control not only of the banking system but also of other methods used by individuals and terrorist groups, including — as the report of the Monitoring Team states — systems of money transfer by cash couriers. We must pay more attention to those areas.

As regards arms embargoes, the Monitoring Team stressed that, as with sanctions, they have always been conceived with a view to the targeting of States. The danger that terrorist groups — in particular Al Qaeda — might acquire weapons of mass destruction is disconcertingly real. That is why Spain welcomes the Team's intention to closely follow the work of the Committee established pursuant to resolution 1540 (2004) and its recommendation to add to the Consolidated List the names of those identified as supplying Al Qaeda with material or expertise that could enable it to acquire such weapons.

Finally, with regard to the travel ban on individuals and entities on the Consolidated List, Spain fully concurs with the recommendation of the Monitoring Team that there is a need to improve the application of the ban, since it has had very little or no effect on Al Qaeda activities. There is a need for the establishment of a rapid communications system among the competent States authorities, in particular border authorities, so that when a person on the Consolidated List is arrested or detained, it will be possible immediately to trigger the appropriate procedure for that person's handover or extradition to the State whose justice system is seeking him or her.

In conclusion, there is a need for greater and better coordination among the various instruments available to the United Nations with a view to promoting international cooperation in combating terrorism. It is vital to have a fluid exchange within the Security Council among the Committee established

pursuant to resolution 1267 (1999), the Counter-Terrorism Committee and the recently created Committee established pursuant to resolution 1540 (2004). In addition, the General Assembly, as well as the Secretariat, should act forcefully on an issue that, in the words of the Secretary-General, assails the spirit and the purposes of the United Nations. I would like to recall the words of the Secretary-General, Mr. Kofi Annan, who stated

> "Everything that we work for — peace, development, health, freedom — is damaged by this horror. Everything that we believe in — respect for human life, justice, tolerance, pluralism and democracy — is threatened by it. It must be defeated — and it must be defeated by a world acting as one." (*SG/SM/8376, para. 7*)

I now resume my functions as President of the Security Council.

The next speaker inscribed on my list is the representative of Australia. I invite him to take a seat at the Council table and to make his statement.

Mr. Dauth (Australia): I would like to thank you very much, Mr. President, for having convened this meeting. I, like others, would like to begin by thanking our friend and colleague, Heraldo Muñoz, for his very comprehensive briefing this morning. As always, it was a typically professional effort from him and his colleagues. We continue to support their efforts very strongly.

Three years after the attacks of 11 September 2001 and five years after the Security Council adopted resolution 1267 (1999), the international community regrettably confronts new terrorist atrocities with shocking regularity. Most recently, of course, the people of Russia have suffered grievously in attacks targeting airliners, city streets and — most appallingly — the school in Beslan. And, as members are aware, in Indonesia last week, at least nine people were killed and 180 injured in a bomb blast outside the Australian Embassy in Jakarta. In that regard, I am very grateful for the expressions of sympathy around this table today.

The good news is that Indonesian and Australian authorities are working hand in hand — as they did in the wake of the Bali and J.W. Marriott Hotel attacks — to track down the perpetrators and bring them to justice. In Australia's region and further afield, Governments are working more closely together than ever before to combat terrorism, with some noteworthy successes.

But, as the Monitoring Team's report (S/2004/679) makes clear, the threat from Al Qaeda-related terrorism remains as serious as ever and is evolving. Terrorist groups rallying around the banner of Al Qaeda's extremist cause increasingly have few obvious links to Al Qaeda's leadership or to other listed groups or individuals. They nevertheless operate according to Al Qaeda's agenda and follow its example. It is vital that States take all measures under the resolution 1267 (1999) regime to constrain the activities of such groups.

The pressing challenge — rightly identified by the Monitoring Team — is to ensure that the Consolidated List of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities remains responsive to those developments. Member States must contribute to the ongoing improvement and revision of the List. Australia played a leading role in having Jemaah Islamiyah and associated individuals listed in October 2002. We remain alert to any developments that might require revised or additional listings, and we urge other Member States to do likewise. Governments need to ensure that, as Al Qaeda and affiliated terrorist groups mutate, those Governments have the tools to cut off the terrorists' finances and other support.

Improving the effectiveness of the 1267 regime also requires improved implementation by Member States. Many have limited capacity to meet their obligations. Australia supports ongoing efforts to facilitate better national implementation and reporting. We see the Monitoring Team's closer coordination with the Counter-Terrorism Committee — and with other United Nations and regional bodies and Member States engaged in related work — as crucial in that respect. In particular, we welcome the programme of outreach by Committee Chairman Muñoz and look forward to his proposed visit to Australia next month. Australia's determination to combat terrorism, including through building strong United Nations mechanisms, is unwavering.

The President (*spoke in Spanish*): The next speaker inscribed on my list is the representative of the

Netherlands. I invite him to take a seat at the Council table and to make his statement.

Mr. van den Berg (Netherlands): I have the honour to speak on behalf of the European Union. The candidate countries Bulgaria, Croatia, Romania and Turkey; the countries of the Stabilization and Association Process and potential candidates Albania, Serbia and Montenegro and the former Yugoslav Republic of Macedonia; and the European Free Trade Association countries Iceland and Norway, members of the European Economic Area, align themselves with this statement.

Terrorism has many faces and guises; the struggle against terrorism has as many fronts. Almost every day, we hear about new instances of vicious attacks in various parts of the world. In that respect, we would like to express our grief at the loss of life in Jakarta and Beslan. No matter what the cause, the location or the scale, the European Union condemns any terrorist attack, shares its deep compassion with the victims and remains firmly committed to stay the course in the combat against terrorism.

Today, the Security Council is discussing the sanctions against Al Qaeda and the Taliban. The European Union thanks Ambassador Muñoz for his informative briefing and for his excellent ongoing work as Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities.

The European Union welcomes the first report of the Analytical Support and Sanctions Monitoring Team (S/2004/679). Although the sanctions have been successful, the report rightly concentrates on ways and means to improve their implementation in order to further tighten the net around Al Qaeda.

At the analytical level, the report concisely describes the changing nature of the threat. The sanctions were designed to combat a group that was operating from a central base with a strong core leadership, in most instances using conventional weapons. Now Al Qaeda manifests itself through a network of loosely affiliated groups. It operates more or less without a central command, making inventive use of the Internet, combined with unconventional means of delivery.

The analysis is not new. Over time, the sanctions have been modified and widened to include groups and individuals from all over the world. However, the basics of the sanctions have remained the same, while the basics of Al Qaeda have changed drastically. Consequently, the report suggests a more fundamental refocusing to even better reflect the changed circumstances. To some extent, these are uncharted waters for the Council. It will be a great challenge to design sanctions against an enemy that is so fluid and intangible in appearance. The looser its organization, the more difficult it might be to define Al Qaeda and the threat it poses. However, it is crucial that the Security Council remain on top of this issue, constantly refine its ways to deal with the threat in accordance with international law and provide the world community with clear direction in this battle.

Again, the European Union commends the Monitoring Team for raising these issues and stirring up the debate. We hope the second report will further build on the analysis presented. As stipulated in Security Council resolution 1526 (2004), the Team might want to make concrete recommendations for new measures.

The report also offers recommendations for the implementation of the sanctions as they stand today. Indeed, there remains much work to be done and much ground to be gained in order to further increase the impact of the current sanctions. The effectiveness of the sanctions regime is contingent on the quality of the Consolidated List of individuals and entities. States are encouraged to actively contribute to the List, thus making the sanctions more effective and at the same time broadening ownership. In addition, we must all do our utmost to constantly update information on the individuals and entities already on the List and to transform the List from a static to a dynamic document. In that context, the European Union would also welcome an examination of the current delisting procedures in the light of the general issue of due process.

The European Union would like to add its voice to the appeal to all Member States to comply with other aspects of the sanctions. The European Union agrees on the necessity of reports that go beyond mere description of intentions or regulations and that instead provide honest assessments of implementation at the operational level. Respect for the rule of law and fundamental human rights should at all times be an

integral part of the implementation. Such respect actually enhances the effectiveness and credibility of the sanctions.

While the Monitoring Team is in a unique position to observe States' failure to comply, it lacks the capacity to provide technical assistance. Both the Monitoring Team and the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities should continue to strengthen ties with organizations that could facilitate or provide such assistance. I would mention here the Counter-Terrorism Committee (CTC) and its new Executive Directorate, but also regional organizations and other United Nations bodies, including the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime. The European Union stands ready to be a constructive partner in this respect. By the same token, we encourage the intention of the Monitoring Team to explore potential areas of cooperation with the Committee established under United Nations Security Council resolution 1540 on prevention of proliferation of nuclear, chemical and biological weapons.

Finally, the report recommends that the Committee pursue ways to make the financial measures more effective. It specifically calls on the Committee to look at the role of alternative remittance systems, cash couriers and charitable organizations. The European Union welcomes these recommendations. In this regard, I would like to point out that the Netherlands presidency of the European Union, in close cooperation with Mr. Gijs de Vries, the European Union Counter-Terrorism Coordinator, has organized a seminar on 22 September on this very topic. We will ensure that the outcome of the seminar will be shared with both the Security Council's 1267 Committee and the CTC.

Let me reiterate the wholehearted support of the European Union to the firm and creative approach of Ambassador Muñoz and the Analytical Support and Sanctions Monitoring Team. The European Union stands ready to fully support the unconditional and unqualified implementation of the sanctions regime. We also look forward to contributing to the ongoing debate on refining and refocusing the sanctions to reflect the changing nature of the threat of Al Qaeda.

The President (*spoke in Spanish*): The next speaker on my list is the representative of Japan, whom I invite to take a seat at the Council table and to whom I give the floor.

Mr. Haraguchi (Japan): First of all, I would like to thank Ambassador Muñoz for today's detailed presentation.

As demonstrated by the recent cowardly terrorist attacks which took the lives of many citizens of the Russian Federation, including a large number of innocent children, and the terrorist bombing outside the Australian embassy in Jakarta, cases of terrorism seem to be on the increase rather than in decline, leaving us far from our goal of eliminating terror. The situation continues to deteriorate and is truly worrisome. Japan, while extending its deepest condolences to the families and relatives of the victims, strongly condemns these brutal acts and feels all the more acutely the necessity of further strengthening international cooperation with a view to preventing similar acts from occurring in the future.

Having heard the Chairman's briefing and reviewed the first report (S/2004/679) of the Analytical Support and Sanctions Monitoring Team of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities, issued last month, I wish to express my country's concern over the situation highlighted in the report. The threat of terrorism perpetrated by Al Qaeda and related groups remains as real today as it was three years ago, as exemplified by the terror-related activities of the new generation of Al Qaeda members as well as the remaining Taliban elements in Afghanistan. Bearing in mind the continuing threat posed by terrorism worldwide, I would like to make the following three points.

First, Japan places importance on the Committee's Consolidated List, and we strongly hope that more information will be submitted for inclusion in the Consolidated List in an efficient manner, so that Member States will have access to more substantial information. However, as my country has already learned through experience, inclusion in the List of the names of individuals or entities suspected of involvement in terrorism is not an easy process, because it can only be accomplished through consensus and there are several hurdles a submitting country must overcome to secure final approval of its application from the Committee. From this point of view, as

recommended by the Monitoring Team in its report, Japan welcomes the Committee's policy of updating the List so as to make it a more effective and accurate tool for combating terrorism. We also believe it important to establish a procedure that would facilitate amendments based on new information. In particular, based on our experience, we consider it necessary that effective methods be devised to deal with cases in which terrorists open financial accounts abroad by illegally assuming the identities of actual individuals. Furthermore, we welcome the Monitoring Team's recommendation to add to the Consolidated List the names of individuals and groups found to be supplying Al Qaeda-associated terrorists with materials and expertise for the construction of weapons designed to cause mass casualties. We believe that this will serve to hinder the terrorists' preparations for attacks.

My second point concerns terrorist financing and weapons. As the report of the Monitoring Team indicates, in the most recent terrorist attacks, which have been causing in a high number of casualties, Al Qaeda members have been operating at a relatively low cost, relying on amounts in the five-figure range in United States dollars. This tactic makes it difficult to detect transfers of funds and to cut off the sources of financing. The high frequency of suicide bombings, as seen in the recent attack near a subway station in Moscow, also presents an alarming situation, and it is important that we discover the means to prevent devices and materials not covered under arms embargoes from being diverted for use in terrorists' weapons. The Monitoring Team's indication that sanction measures must be adjusted according to the changes in the methods adopted by terrorists is entirely appropriate, and we need to take effective measures to prevent terrorists from taking advantage of loopholes in our sanction measures. From that viewpoint, we understand that the Monitoring Team will undertake further studies in order to make recommendations on stronger and more effective sanction measures, and we are looking forward to the outcome of these efforts.

The third matter I wish to emphasize is the need for greater intra-organizational cooperation within the United Nations. Japan has pointed out in the past that cooperation with the Counter-Terrorism Committee (CTC) in information-sharing and analysis is important, and we appreciate that the Monitoring Team has already, on several occasions, engaged with the experts of the CTC in assessing threats and evaluating the needs of Member States in the area of capacity-building. Cooperation with the Committee established under Security Council resolution 1540 on prevention of proliferation of nuclear, chemical and biological weapons is also crucial, since terrorists associated with Al Qaeda are using unconventional weapons to murder non-combatants on a massive scale. We believe it very important that the committees and other organizations related to counter-terrorism start cooperating more effectively among themselves in the fight against terror.

As Ambassador Muñoz has also emphasized on previous occasions, we need to pursue our counter-terrorism policy in a concerted manner, in view of the fact that the Al Qaeda network is global in its reach and that the world is watching to see how decisively the United Nations will act to undertake counter-terrorism initiatives.

Japan supports the work of the sanctions Committee and the various related Security Council resolutions, including resolution 1526 (2004), and wishes to offer its full cooperation toward the realization of an effective counter-terrorism policy through the implementation of the relevant resolutions.

Finally, I would like to express our appreciation for the dedication of Ambassador Muñoz and of his outstanding staff, as well as for the efforts of the Committee secretariat and of the Monitoring Team experts, whose activities are now fully under way.

The President (*spoke in Spanish*): The next speaker inscribed on my list is the representative of Singapore. I invite him to take a seat at the Council table and to make his statement.

Mr. Menon (Singapore): I would like to congratulate you, Mr. President, on your assumption of the presidency of the Security Council for the month of September, and to wish you every success as you and other members of the Security Council deal with several difficult issues on the Council's agenda. I also join other delegations in thanking you for organizing this public meeting. My delegation would also like to thank Ambassador Heraldo Muñoz, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999), for his comprehensive briefing.

In the past fortnight, the world has witnessed another rash of heinous terrorist acts: the almost simultaneous destruction of two Russian passenger

aircraft, the abominable hostage-taking in a Russian school and the bombing outside the Australian Embassy in Jakarta, Indonesia. We are again reminded that terrorism is a clear and present danger around the world. Singapore joins others in strongly condemning those atrocities. We also express our solidarity and sympathy with those affected.

Each country must take responsibility for its own security. But that is not enough. International cooperation is vital if we are to be able to effectively confront the threat of transnational terrorism. The events that we are witnessing are not isolated episodes of terrorism. They reflect the existence of a terrorist network with global reach that is capable of organizing deliberate and prolonged acts of terrorism around the world.

Al Qaeda has spawned a network of affiliated terrorist groups around the world that subscribes not only to its extreme terror tactics but also to its deviant ideology. In South-East Asia, the extremist regional network Jemaah Islamiyah, which is Al Qaeda's principal representative in the region, wants to establish an Islamic caliphate comprising much of South-East Asia, including Singapore. Investigations under way clearly point the finger of suspicion for the recent bombing in Jakarta to that group.

We need to work together to deal with the unprecedented challenge of transnational terrorism. While the efforts of individual countries are extremely important, the war against terrorism cannot be won by the efforts of one country alone. International networking and cooperation are also essential. An effective network requires support from individuals equipped not just with special skills, but also with a common understanding of the bigger security strategic picture.

Singapore will continue to support the efforts of the United Nations in this area. We have, for example, cooperated fully and in a timely fashion with the Counter-Terrorism Committee and the Al Qaeda and Taliban sanctions Committee and its Monitoring Team. Singapore has worked closely with other countries in implementing a series of practical anti-terror measures. Singapore has, and will continue, to work with like-minded countries from our region and beyond in intelligence exchanges, capacity-building activities and counter-terrorism operations.

In Singapore, we have implemented many security measures to harden the country against the terrorist threat, including critical infrastructure protection and border controls. We have also sought to change the general public's mindset to stress that security is a paramount, and not a peripheral, issue. We have mobilized Government agencies, the business community and the general public to work together in a concerted national effort against the threat of transnational terrorism.

In conclusion, we join others in urging countries to stand firm and not waiver in the campaign against terrorism, here at the United Nations and domestically.

The President (*spoke in Spanish*): I thank the representative of Singapore for his kind words addressed to me.

The next speaker inscribed on my list is the representative of India. I invite him to take a seat at the Council table and to make his statement.

Mr. Sen (India): As this is the first statement I am making in the Security Council, let me begin by extending my warm greetings to you, Mr. President, and to your colleagues in the Council. Please allow me also to extend our heartiest felicitations to you for assuming the presidency of the Security Council for this important month in the calendar of activities of the United Nations. I also wish take to this opportunity to congratulate Ambassador Andrey Denisov of the Russian Federation on his exemplary stewardship of the Council during his presidency in the month of August. I also wish to thank Ambassador Muñoz, Chairman of the Committee established pursuant to resolution 1267 (1999), for his comprehensive briefing on the considerable progress achieved in the work of the Committee since the last public meeting on this issue. I would also like to place on record our appreciation for Ambassador Muñoz and his able team, as well as for concerned members of the United Nations Secretariat, for the direction they have provided in the implementation of the relevant resolutions of the Al Qaeda-Taliban sanctions regime.

It has been three years since the attacks of 11 September in New York. Unfortunately, since then, incidents of terrorism in the Russian Federation, Spain, Saudi Arabia, India and other parts of the world have amply demonstrated that international terrorism is not a passing phenomenon. In fact, as Ambassador Muñoz

has rightly reiterated, it constitutes today one of the most serious threats to international peace and security.

The horrific images of the heinous murder of some 300 innocent civilians, mainly children, at the hands of terrorists in Beslan, in the Russian Federation, less than a fortnight ago, are still fresh in our minds. The bomb attack outside the Australian embassy in Jakarta on 9 September, which claimed at least nine lives, was a manifestation of the same malaise — of international terrorism representing an attack on all civilized nations. I wish to take this opportunity to extend our deepest sympathy to the Governments of the Russian Federation and Indonesia, and our heartfelt condolences to the victims of the attacks and their families. We are with them in sorrow and solidarity.

The international community will have to do more than issuing routine condemnations of such acts of terrorism. It will have to act at the bilateral, regional and multilateral levels to speedily and effectively address the clear and present danger represented by international terrorism. The Security Council Committees established pursuant to resolutions 1267 (1999) and 1373 (2001) are an important facet of the international community's response. It is therefore only natural that we carefully analyse the strategy adopted by those bodies in the fight against terrorism.

The appointment of a new and efficient Analytical Support and Sanctions Monitoring Team, established pursuant to resolution 1526 (2004), is a welcome development. We agree with the Chairman that the Team deserves to be commended for having produced a concise, well-conceived and high-quality document for its first report. I should like to provide our comments on some aspects of the report of the Monitoring Team.

The assessment of the Monitoring Team that the threat from Al Qaeda terrorism remains as real today as it has been at any time since October 1999 has been validated by the number and intensity of attacks worldwide, with their ideological underpinnings traceable to Al Qaeda.

The Monitoring Team's conclusion that the sanctions regime imposed by the Security Council has had a limited impact is disappointing, as it reflects a continuation of the trend reported by the previous Monitoring Group in its first report issued pursuant to resolution 1455 (2003). In our statement on 29 July 2003, during a public debate in the Council on the same item, we noted that the Monitoring Group had reported on the limitations of the sanctions regime, in particular the continuing ability of Al Qaeda to finance its activities, the ineffectiveness of the travel ban, the continued use of small arms and light weapons and the nexus between drug smuggling and terrorism.

Where the report of the Monitoring Team is encouraging is in its recommendations on the ways and means to address the existing limitations. Most of the recommendations appear to be provisional, but could, in our view, form the basis for refinement of the existing measures required to adapt them to the changes in the nature of Al Qaeda/Taliban operations.

We agree with the assessment of the Team that the Taliban remain a real threat to the reconstruction and stability of Afghanistan. We do not, however, believe that the mutual support between the Al Qaeda and Taliban is confined to assistance with local needs, nor do we subscribe to the perception that the relevance of the Taliban was confined to the means and space they provided Al Qaeda to flourish. It has to be reiterated here that the Taliban was an offshoot of the same fundamentalist and militant ideology that spawned the perpetrators of the terrorist attacks of 11 September 2001 and elsewhere in the world. The fact that they continue to operate within Afghanistan is a telling indicator of the support and safe haven they continue to receive. The inescapable but unstated conclusion of the report's analysis is of the integral, seamless nature of the Al Qaeda/Taliban relationship, their common ideological incubators and training. It is this Committee's mandate to identify those individuals and entities which represent that group with the intention of bringing to bear upon them the measures envisaged under the relevant resolutions, including resolution 1526 (2004), and we hope it will do so without fear or favour.

We also agree with the conclusion that the Consolidated list suffers from practical and technical problems. In our view, the first priority of the Committee and the Monitoring Team should be to convince Member States to be more forthcoming with information, particularly with regard to the Taliban, on individuals and entities in territories under their control. The second should be to hold States that harbour such listed individuals or entities accountable for non-compliance with the relevant Chapter VII resolutions.

We appreciate the stated objective of the Monitoring Team to engage and cooperate with Member States in the implementation of its mandate. Some ideas enunciated in this regard, including the convening of a small group of professionals with the requisite experience and expertise to enhance understanding on the issue and the proposal to conclude an international agreement that would preclude offer of asylum to those on the Consolidated List are noteworthy and should be further explored.

We also welcome the increase in the number of tours to States to enhance coordination and information exchanges. We would caution, however, that to optimize results, such visits should be carefully coordinated between the Chair, the Committee and the Monitoring Team. Ideally, a visit of that nature to a Member State should involve all three components, and possibly even the Counter-Terrorism Committee and the Counter-Terrorism Executive Directorate, in the context of greater cooperation envisaged with these bodies. That would enable a more coherent presentation of the exchange of views, better access and less duplication in terms of time and money. The differing roles of the Committee and the Team can be reconciled by bifurcating field visits or meetings after completion of the common elements of the programme.

We do hope that, in keeping with its professed spirit of cooperation and transparency, the Committee will authorize a more liberal sharing of information with the general membership on the results of such visits.

The report of the Monitoring Team has allowed us to start working on a new set of recommendations designed to increase the efficacy and relevance of the sanctions measures against such terrorist groups as the Taliban and Al Qaeda. We are confident that some of the ideas those recommendations represent will receive further expression by the time the next report of the Team is due. The continued relevance of the Committee and all of our efforts depend on keeping ahead of the game.

Before I conclude, I would also endorse the implication of the Secretary-General's words that you quoted, Sir, and of the remarks on making the sanctions more effective through a regime of fundamental freedoms, as referred to by the Ambassador of the Netherlands, speaking on behalf of the European Union. In that context, I would like to say that the present Government of India, with its heritage of secularism, and voted in by the rural poor, is committed in its common minimum programme to the abolition of the Prevention of Terrorism Act, because we firmly believe that it is only in the context of fundamental rights, the rule of law, access to defence counsel and all the other provisions thereunder that a sanctions regime can be truly and effectively implemented by any country.

I wish, finally, to conclude by offering our full cooperation in fulfilling the objectives of the Team and our willingness to share the expertise developed in India and accumulated through decades of experience in countering terrorism.

The President (*spoke in Spanish*): I thank the representative of India for his kind words addressed to the Spanish presidency and the membership of the Council.

The next speaker is the representative of Indonesia. I invite him to take a seat at the Council table and to make his statement.

Mr. Jenie (Indonesia): Allow me at the outset, on behalf of my delegation, to express our sincere appreciation to you, Sir, and the members of the Security Council for convening this public meeting on the report of the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) regarding its overall work and the Monitoring Team. I would like also to take this opportunity to extend our gratitude to Ambassador Heraldo Muñoz, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999), and its members and experts for their dedication and hard work.

Recently, Indonesia has again become the target and victim of acts of terrorism. On 9 September 2004, a bomb exploded near the entrance gate of the premises of the Australian embassy in Jakarta. Ten people lost their lives and about 182 were injured in the attack. Let me take this opportunity, on behalf of the Government and the people of Indonesia, to acknowledge and deeply appreciate the expressions of sympathy and condolence from the international community. Indonesia and Indonesians from all walks of life strongly condemn the terrorist attack in Jakarta and are determined to bring all the perpetrators of that cruel and heinous crime to justice. At the same time, we are not going to let our country become a land of fear and

insecurity. Indeed, the Indonesian Government has already taken the necessary measures to deal with the attack. We are again deeply appreciative of the offers of cooperation and assistance in that regard, particularly from the Government of Australia.

Let me reiterate that Indonesia is highly committed to fighting terrorism in all its forms and manifestations. We believe that terrorism represents a serious threat to international peace and security and we stand ready to support measures against it at the national, regional and global levels.

The recent visit by the Monitoring Team of the Committee to Jakarta was fruitful in allowing us to share the experience and challenges faced by Indonesia in implementing the sanctions. I should not deny that further efforts and wider collaboration at all levels are needed.

Indonesia fully endorses the call on member countries to further improve the quality of the Consolidated List. I believe that problems arising from the incompleteness of background information on individuals can be resolved by adding more information to the List. In this case, countries that have submitted names to the List should be able also to share more information with other countries. The completeness of the list will not only enhance the effectiveness of the list but will also minimize or eliminate mistakes in the efforts to apprehend individuals connected to Al Qaeda and the Taliban. In that regard, Indonesia welcomes the efforts of the Monitoring Team to improve its working methods, as set out in its first report.

Finally, I would like to stress Indonesia's conviction that terrorism is the problem of every nation and that we can best combat and vanquish this menace through multidimensional and multilateral approaches based on international law and respect for human rights. Indonesia is one such party, and as we have stated in the past, we stand ready to take the necessary measures and to work with other States and organizations to ensure that terrorism will have nowhere left to hide and that it will be defeated.

The President (*spoke in Spanish*): I thank the representative of Indonesia for his kind words addressed to me and to other members of the Council. I invite him to resume the seat reserved for him at the side of the Council Chamber.

The next speaker is the representative of Malaysia, whom I invite to take a seat and to make his statement.

Mr. Rastam (Malaysia): My delegation is pleased to address this timely public meeting of the Security Council. We welcome the first report of the Analytical Support and Sanctions Monitoring Team established pursuant to Security Council resolution 1526 (2004) and express our sincere appreciation to the Monitoring Team. We also congratulate Ambassador Heraldo Muñoz, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities, for his clear and comprehensive presentation of the report and his personal commitment towards the Committee's work.

I should like to convey the deepest sympathies of my delegation to the families of the victims and to all those injured or affected by the heinous crimes of terrorism that recently occurred in Russia and Jakarta. Malaysia categorically condemns all acts of terrorism and remains convinced that terrorism is never justifiable, irrespective of its motivations and objectives or its forms and manifestations.

My delegation appreciates the efforts of and the role played by the 1267 Committee in combating terrorism, in particular through the sanctions regime that it has elaborated. That regime constitutes an important instrument in our common struggle against terrorism. We also appreciate the Monitoring Team's first report on the implementation of measures by States and its recommendations on ways to make those measures more effective and on new measures for consideration by the Security Council. In that regard, we have taken note of the recommendations and proposals that could be implemented by Member States to improve further the efforts to combat terrorism.

With regard to the great variation in the quality of reports submitted by Member States, my delegation looks forward to a more focused questionnaire that could help in the standardization of reports and in the easier preparation of the reports. We hope for improved coordination between the Monitoring Team and the Committee with a view to enhancing its performance and helping the Team to continue and improve its analytical reporting to the Security Council. We also hope that cooperation between the 1267 Committee and the Counter-Terrorism Committee established

pursuant to resolution 1373 (2001) will continue to improve so that the problem of apparent overlap with the reporting requirements of the Counter-Terrorism Committee can be overcome.

We are satisfied that the Committee's Chairman, Ambassador Muñoz, and the Monitoring Team plan to continue their field visits and dialogue with Member States. The Monitoring Team recently visited Malaysia. In our assessment, it was a good visit. The Malaysian authorities gave their fullest cooperation. We look forward to continuing the dialogue and to further cooperating with the Team and the Committee in our common endeavour against terrorism.

My delegation remains concerned that there is yet to be an internationally agreed definition of terrorism. Malaysia believes that a universally accepted definition of terrorism is important to enable the international community to take concerted and effective action against those who have been defined as terrorists. Listing designated individuals, groups and entities in the Consolidated List as a result of the absence of such definition has resulted in the list losing its credibility and operational value. It is imperative for the Monitoring Team to update the List in terms of its relevance and accuracy, with the full cooperation of Member States, including the delisting of people as appropriate.

It is encouraging to note that sanctions against the financing of terrorism have had some effect. A large amount of assets has been frozen, although there is still a need for continuous updating based on the Al Qaeda modus operandi for raising and transferring money. The Monitoring Team has also identified similar needs to improve the travel ban and the arms embargo to reflect current Al Qaeda methodology. In this regard, Malaysia stands ready to implement new measures within its means so that international efforts to combat terrorism can be carried out in an impartial and objective manner, in accordance with the principles of international law.

It is essential to bear in mind that combating terrorism is one of a number of often interrelated priority tasks of this Organization. In many parts of the world, a central challenge remains the eradication of poverty and underdevelopment, which constitute a serious threat to peace and security. To this end the campaign against terrorism should also take into account the poor of the world, who require resources to extricate themselves from their poverty and underdevelopment.

Terrorists take advantage of the sense of despair and the frustration that arise when people are forced to live without hope and without freedom. Terrorists also capitalize on situations where States violate human rights during their counter-terrorism operations. Terrorism feeds on many things: the use of force and foreign occupation, territory forcibly occupied, land wrongfully seized, homes bombed and bulldozed to rubble, ethnic cleansing, religious persecution, trampling of legitimate political aspiration, oppression, poverty, deprivation and, most of all, the absence of satisfactory avenues to seek redress. Malaysia strongly believes that it is absolutely essential that curative approaches in dealing with terrorism be prescribed. The root causes of terrorism must be addressed.

The challenges facing the international community in combating terrorism require a multipronged and multidimensional approach. Such an approach includes national, regional and international efforts in identifying and addressing the root causes, undertaking strict and stern enforcement measures, undertaking psychological warfare programmes to counter the destructive influence of the extremists and terrorists, and providing training and expertise to officers and institutions involved in counter-terrorism activities.

In line with our recognition that action to counter terrorism requires integrated efforts at the regional and international level, Malaysia established the South East Asia Regional Center for Counter Terrorism (SEARCCT) in July 2003. The establishment of SEARCCT has received endorsement from the thirty-sixth ASEAN Ministerial Meeting in Phnom Penh in June 2003. The Center primarily focuses on training and capacity building in prevention of terrorist activities and management of post-terrorism situations. These include actions against money-laundering and terrorist financing, border control, documentation and maintaining a database of terrorist activities. The Center has participated and conducted in various activities, workshops and seminars since its inception. These include the Seminar on Counter-Terrorism conducted in Langkawi, Malaysia in October 2003 in collaboration with Australian Government, and a course on financial underpinnings of terrorism in Southeast Asia, conducted in Kuala Lumpur in April 2004 in collaboration with the United States. The

Center has a full schedule of activities to be conducted through 2004 and beyond, including workshops on capacity-building in combating terrorism and a course on fraudulent document detection. Malaysia remains fully committed to the struggle against terrorism. Our efforts to enhance our counter-terrorism capabilities under the auspices of the United Nations are complemented by the collective actions of our partners through multilateral organizations such as the Association of South-East Asian Nations, the Organization of the Islamic Conference, the Commonwealth and the Non-Aligned Movement. My delegation continues to value the close working relationship that we have established with the Committee and the Monitoring Team, especially at a time when there is a need for greater enhancement of cooperation in our common cause against terrorism.

The President (*spoke in Spanish*): I thank the representative of Malaysia for his statement and invite him to return to the seat reserved for him at the side of the Council chamber.

I now give the floor to the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999), Ambassador Heraldo Muñoz, to respond to the questions and comments made in the discussion.

Mr. Muñoz (*spoke in Spanish*): Allow me first to express my thanks for the strong support for the work of the Al Qaeda and Taliban sanctions Committee, for the Monitoring Team of the Committee and for myself and the coordinator of the Team. We consider that encouragement important for us to pursue the outstanding challenges.

There were no questions to me personally, or to the Team coordinator, but there have been many suggestions. We have taken good note of the suggestions and shall be studying them in the Committee. We shall strive to give effect as well to the Team's recommendations, which we have begun to analyse. Possibly, if the Committee so decides, we may come back to the Council, as many delegations have requested this morning, to propose improvements and new measures to combat terrorism. That is not simply a mandate from the Security Council, but ultimately it is an ethical obligation for all of those who want to see a more stable and secure international community.

The President (*spoke in Spanish*): I thank Ambassador Muñoz for his additional comments and we wish him every success in the work of the Al Qaeda and Taliban sanctions Committee and likewise, the Monitoring Team.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.15 p.m.

United Nations S/PV.5032

Security Council

Fifty-ninth year

Provisional

5032nd meeting

Tuesday, 14 September 2004, 10 a.m.

New York

President:	Mr. Yáñez-Barnuevo	(Spain)
Members:	Algeria	Mr. Baali
	Angola	Mr. Antonio
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	Chile	Mr. Landerretche
	China	Mr. Wang Guangya
	France	Mr. Poirier
	Germany	Ms. Gross
	Pakistan	Mr. Mahmood
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Denisov
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Danforth

Agenda

The situation between Eritrea and Ethiopia

Progress report of the Secretary-General on Ethiopia and Eritrea (S/2004/708)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-50854 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation between Eritrea and Ethiopia

Progress report of the Secretary-General on Ethiopia and Eritrea (S/2004/708)

The President (*spoke in Spanish*): The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the progress report of the Secretary-General on Ethiopia and Eritrea, document S/2004/708. Members of the Council also have before them document S/2004/728, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. If I hear no objection, I shall now put the draft resolution to the vote.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Algeria, Angola, Benin, Brazil, Chile, China, France, Germany, Pakistan, Philippines, Romania, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in Spanish*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1560 (2004).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.20 a.m.

United Nations S/PV.5033

Security Council

Fifty-ninth year

Provisional

5033rd meeting

Tuesday, 14 September 2004, 10.20 a.m.

New York

President:	Mr. Yáñez-Barnuevo	(Spain)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	Chile	Mr. Muñoz
	China	Mr. Wang Guangya
	France	Mr. De La Sablière
	Germany	Mr. Pleuger
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Denisov
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Danforth

Agenda

The situation between Iraq and Kuwait

Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004) (S/2004/710)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-50865 (E)

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004) (S/2004/710)

The President (*spoke in Spanish*): I should like to inform the Council that I have received a letter from the representative of Iraq, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Al-Istrabadi (Iraq) took a seat at the Council table.

The President (*spoke in Spanish*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Ashraf Jehangir Qazi, Special Representative of the Secretary-General for Iraq.

There being no objection, it is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004), document S/2004/710.

At this meeting, the Security Council will hear briefings by Mr. Ashraf Jehangir Qazi, Special Representative of the Secretary-General for Iraq, and by Mr. John Danforth, representative of the United States of America, on behalf of the multinational force.

I now give the floor to Mr. Ashraf Jehangir Qazi, Special Representative of the Secretary-General for Iraq.

Mr. Qazi: I am honoured to brief the Council for the first time since my appointment as Special Representative of the Secretary-General. My predecessor, the late Sergio Vieira de Mello, did so just over a year ago. In paying tribute to his memory, I intend for him and his colleagues who paid the ultimate sacrifice in the service of the people of Iraq to be an inspiration and a standard for my team and myself. I am indeed profoundly gratified and privileged to have been given this opportunity and responsibility to implement the mandate of the United Nations, as circumstances permit, in Iraq.

I am here today to introduce the first report of the Secretary-General pursuant to paragraph 30 of Security Council resolution 1546 (2004) (S/2004/710). This report is intended to provide Council members with an update on United Nations activities in Iraq since the Secretary-General's last report of 5 August 2004 (S/2004/625). It focuses on our priority tasks set forth in resolution 1546 (2004), particularly with regard to the National Conference and preparations for the elections scheduled for January 2005. It also provides an update on security arrangements for the United Nations presence in Iraq. The report is in large part self-explanatory, and I will therefore limit myself to a few brief observations.

The tragic human dimension of the current situation in Iraq was brought home to all of us today, with almost 50 people losing their lives to yet another bombing. I condemn such acts of violence, whose primary victims are innocent civilians. It is a sign of the resurgence of the vicious circle of violence that is halting the process of rebuilding the country. Improving the security situation is a collective responsibility that we all share.

I arrived along with members of my team in Baghdad on 13 August 2004, on the eve of the National Conference. During the 13 days that I spent in Baghdad, I had meetings with the Iraqi Government and political leadership, prominent members of civil society and representatives of the diplomatic community. The return to Iraq of the Special Representative of the Secretary-General and the international staff of the United Nations Assistance Mission for Iraq (UNAMI) has been warmly

welcomed. I would, in particular, like to take this opportunity to thank the Iraqi Interim Government for its hospitality and support. I would also like to thank the multinational force for its support.

The National Conference, which took place from 15 to 18 August 2004 against the backdrop of the Najaf crisis, provided me with a unique introduction to the diversity and complexity of the Iraqi political landscape. I was made aware of both the extraordinary potential of Iraqi society and the serious challenges that the country must overcome in order to realize its potential.

Along with the President, the Prime Minister and the Vice-President of Iraq, I had the honour of addressing the inaugural session of the National Conference on behalf of the Secretary-General. I urged the delegates to the Conference to avail themselves of the opportunity to elect a representative Interim National Council that would help broaden and strengthen the political process and would enable their country to successfully make the transition to a constitutional democracy in accordance with the schedule indicated by resolution 1546 (2004).

Prior to my arrival, the United Nations, in consultation with the Preparatory Committee for the National Conference, had encouraged broad participation in the Conference and advised on a number of important issues, including procedures for preparation, the conduct of proceedings, the agenda and the public information campaign. It was emphasized that the Interim National Council to be elected by the Conference needed to be as inclusive, diverse and representative as possible for it to be credible and effective in preparing for the national elections scheduled to take place by 31 January 2005 at the latest.

Despite the undoubted shortcomings of the National Conference, the distractions of the Najaf crisis and the very adverse security environment in which the Conference took place, the convening of the National Conference and the election of the Interim National Council must be adjudged a qualified success and a first step towards a more participatory, pluralistic and inclusive polity than Iraq has previously experienced. While the Conference was attended by *more than a thousand delegates — including 70 parties* that collectively added up to a significant portion of the Iraqi political spectrum — the fact is that a number of civic groups, small parties and independents felt excluded. Some significant political groups chose not to attend. Inducing them to participate in the political and electoral process should become a matter of high priority for the Iraqi Government.

This will not be an easy undertaking, as the recent violence in Najaf and Kufa and the current violence in Baghdad, Falluja, Ramadi, Samarra, Mosul, etc., amply demonstrate. The transition process is fragile. Serious differences within Iraqi society have yet to be politically and effectively addressed. The transfer of sovereignty to the Interim Government has not been accompanied by an improvement in the security situation. That is the central challenge facing Iraq today. The main victims of the violence in Iraq are Iraqi civilians. The climate of fear remains entrenched.

Ultimately, this situation can only be politically resolved. That fact places a great burden of responsibility on all parties. Neither national reconciliation nor specific political programmes can be successfully pursued through an excessive reliance on the threat or use of force. All the parties and movements in Iraq must take care not to lose sight of their shared interest in a united, independent, prosperous, stable, secure and peaceful Iraq. Only then will they appreciate their respective stakes in politically addressing their differences in a spirit of compromise, however intractable those differences may appear today. The Interim Government and the Interim Council have a primary responsibility in that regard. They are working in that direction, but they will need all the assistance and encouragement they can get.

In the brief period before the planned elections, the political process will have to be further broadened to include those parties and movements that have so far, for one reason or another, tended to stay away or have allowed themselves to be tempted by the path of violence instead of pursuing dialogue and accommodation. Only then can the political process begin to embrace the full range of aspirations that define the politics of Iraq and deliver the peace and security dividend so dearly yearned for by the people of Iraq. As Special Representative of the Secretary-General, I shall be ready to contribute to any facilitating role that the United Nations is able to play in the political and electoral process in Iraq, as well as to the humanitarian, reconstruction and development aspects of UNAMI's mandate.

The transitional process will require all parties to share a transcending national vision, including agreement on benchmarks and the end objectives of the process. The next benchmark in the Iraqi transition process will be the elections. As should be clear, the electoral process will be an Iraqi process, conducted by Iraqis for Iraqis. It cannot be anything else. The Iraqi people have the right to expect — and do expect — the Independent Electoral Commission of Iraq, the Interim Government and National Council to fulfil their shared responsibility to enable them to fully and securely participate in credible and fair elections as currently scheduled. In that regard, the Iraqi Government will have the responsibility to ensure the independence and financial autonomy of the Iraqi Electoral Commission. This is crucial to enabling the Commission to discharge its electoral responsibilities to the Iraqi people.

UNAMI is committed to actively assist and support the Iraqi Electoral Commission in administering, conducting and monitoring a fair and credible Iraqi electoral process. The extent and scale of UNAMI activity in that regard will necessarily be determined by prevailing circumstances, including the security environment. UNAMI will not run or administer the Iraqi elections. Iraq is a sovereign country with a sovereign Government and an independent Electoral Commission. But UNAMI has a mandate from the Security Council and, accordingly, a responsibility to the Iraqi people to render a leading role in giving advice and providing technical support, training and funding to the Iraqi Electoral Commission, which has the exclusive authority to organize and conduct the elections. The electoral component of UNAMI is already assisting the Iraqi Electoral Commission in preparing for national and other elections that are scheduled to take place simultaneously by 31 January 2005. Within the prevailing circumstances, UNAMI will extend its assistance and support to the Commission to the best of its ability and with the utmost responsibility.

Similarly, UNAMI continues to facilitate a sustained effort, from both inside and outside Iraq, to support the coordination efforts of the Iraqi authorities in capacity-building, humanitarian assistance, reconstruction and development. UNAMI is also liaising with Iraqi authorities, civil society and others to promote human rights and the rule of law, as well as developing its efforts for informing the Iraqi public on the transitional process. Here I wish to pay tribute to the dedication of the UNAMI staff in Iraq and in the region, particularly our national staff, who continue to work under very difficult conditions.

All these activities reflect the need for a comprehensive long-term approach to rebuilding Iraq — including politically and in terms of security, law and order, socio-economic development and rights empowerment. To succeed, Iraq will need the continued support of the international community, and I look forward to a constructive outcome of the next donors meeting, to be held in Tokyo in October. The ongoing regional dialogue and cooperation between Iraq and its neighbours is also encouraging. The development of Iraq is as much in the interest of the region as the development of the region is in the interest of Iraq.

With the deployment of UNAMI to Baghdad, the Blue Flag is once more flying in Iraq, albeit, necessarily, in the Green, or International, Zone. Iraqi expectations of UNAMI are high. For many Iraqis, UNAMI involvement with the political and electoral processes is a sine qua non for their credibility and effectiveness.

There is much work to be done. However, the current security environment is far from conducive to the deployment of UNAMI international staff to Iraq, except in minimal numbers. It also largely confines UNAMI's movements to the International, or Green, Zone, which limits UNAMI's ability to interact with a sufficiently wide range of the Iraqi political spectrum. A light footprint is, however, unavoidable. At all times security must be the overriding guiding principle for determining the number of international staff that can be deployed in Iraq. That is why it will be essential for the Iraqis to own their political process.

As I am Head of UNAMI and Designated Official for the security of mission personnel, both national and international, security has to be my paramount, if not exclusive, concern and obligation. It has to be the key operating principle. Here I wish to thank the Iraqi authorities and the multinational force for the protection currently provided to us on an interim basis. It is crucial that the necessary logistical and security arrangements for our operations be finalized as soon as possible. The United Nations is making every effort to support the efforts of the multinational force in this regard, as well as to generate UNAMI's own internal security capacity.

It is important, however, that the distinct entity of the multinational force mandated by the Council to provide security for our presence in Iraq should be identified or deployed immediately prior to the deployment of UNAMI guard units. The need for a clear and unambiguous legal basis for obtaining and deploying guards units for the protection of United Nations facilities in Iraq is emphasized in paragraph 30 of the Secretary-General's report (S/2004/710). The Secretary-General intends to write to the Security Council on this matter shortly, and I would like to urge the Council to consider that letter at its earliest convenience.

Let me conclude, Mr. President, by noting that Iraq's transitional process is compressed within a rather short period of time. A number of timelines have to be met between now and national elections under an approved constitution by the end of next year. The international community must do everything possible to assist the Iraqis. Every effort must be made to improve the security environment, as an acceptable security environment is necessary for political progress. But equally, an inclusive, sustained and proactive political process, involving dialogue, mutual accommodation and a willingness to compromise, will improve the chances for a significant reduction in violence and improvement in the security environment.

My brief introductory stay in Baghdad has convinced me that the people of Iraq desperately want peace and to be masters in their own country. They have the talent and the will to peaceably persevere on the path towards those objectives. They see an effective role for the United Nations in that process as critical to the realization of their hopes. They appreciate that despite an adverse security situation the United Nations returned to Baghdad. Accordingly, while necessarily constrained by the overriding consideration of security, it will be my effort as Special Representative of the Secretary-General not to disappoint Iraqi expectations. UNAMI will do everything possible to support the Iraqi Government and people in their efforts for the political and economic reconstruction of their country.

In discharging my tasks in Iraq, I am very conscious that I am advancing on the path established by Lakhdar Brahimi, with the able assistance of Jamal Benomar. Mr. Brahimi's sagacity has been critical in promoting the necessary political process for restoring normalcy in Iraq.

In the months ahead, the continued support of the Security Council will be of vital importance to maintain Iraq's transition by building on the work done so far. I look forward to a continuous process of consultation and interaction with the Council as we move forward with the implementation of resolution 1546 (2004). I also look forward to working closely with the Iraqi Interim Government and National Council, Iraqi political parties and movements, Iraqi business leaders, non-governmental organizations, professional associations and civil society and human rights advocacy groups, as well as with the neighbouring, regional and donor countries, to help provide an enabling environment for Iraq's political and development process.

The President (*spoke in Spanish*): I thank the Special Representative of the Secretary-General for Iraq, Mr. Qazi, for the comprehensive briefing.

I now give the floor to Mr. John Danforth, representative of the United States of America, who will speak on behalf of the multinational force.

Mr. Danforth (United States of America): I want to thank Special Representative Qazi for his very persuasive report, and beyond that for the commendable job that he and his colleagues are doing for the people of Iraq.

I am pleased to report to the Security Council on the efforts and progress of the multinational force, pursuant to Security Council resolution 1546 (2004). The activities that I will discuss demonstrate that the multinational force, working closely with the Iraqi Interim Government, remains committed to a secure, stable, and democratic Iraq. Today I will report on four broad areas. First, I will discuss the current security situation in Iraq. Secondly, I will discuss the status of the Multinational Force's (MNF) joint effort with the Iraqi Interim Government to build and deploy Iraq's security forces. Thirdly, I will report on the status of efforts to rebuild the infrastructure of Iraq. Finally, I will discuss our hopes and expectations regarding the future involvement of the United Nations in the rebuilding of Iraq.

My remarks today will provide a summary, but we have also distributed a longer written report and it is posted on our web site. It will also be issued as a document of the Security Council under the symbol S/2004/730.

With regard to the security situation, let me address the terrible events of the last 24 hours before I go into details of the last three months. Those events bring to the fore what will be a theme in my remarks. The security situation is fragile, attacks are persistent, and lives continue to be lost. There are setbacks and we have to acknowledge them. But that only strengthens our resolve.

The MNF consists of forces from over 30 countries. Countries other than the United States contribute approximately 23,000 personnel. Working closely with Iraqi Security Forces, those brave men and women have performed with admirable professionalism in their efforts to improve the security situation in Iraq.

In the two weeks following the assumption of responsibility and authority by the fully sovereign and independent Iraqi Interim Government on 28 June 2004, there was a large drop in acts of violence against MNF operations. However, in the weeks that followed, insurgents and terrorists increased their attacks against Government officials, civilian contractors, foreign nationals, and the Iraqi people. As we all know, the anti-Iraqi forces resorted to horrific tactics against civilians. In August, largely as a result of Moqtada al-Sadr's illegal Mahdi militia resuming its insurrection in Najaf and the Al Thawra neighbourhood in Baghdad, attacks on the MNF increased as well.

To respond to these open challenges to the Iraqi Government, the MNF has employed new counter-insurgency tactics and continues to train and deploy Iraqi security forces. The key to defeating the insurgents and terrorists, who are tenacious and remain determined to undermine the Iraqi Government, is to continue training and deploying Iraqi forces at an accelerated pace. In its endeavours, the MNF coordinates closely with the Iraqi Interim Government.

Concerning the security forces, let me turn to the status of the MNF's joint efforts with the Government to develop Iraqi security forces. The Iraqi security forces fall under the jurisdiction of the Ministry of Defense or the Ministry of Interior. Forces under the Ministry of Defense are the Iraqi Army, including the Iraqi National Guard, the Intervention Force, the Special Operations Force, the Iraqi Air Force and the Coastal Defense Force. As of 10 September, the Iraqi Ministry of Defense had over 231,000 Iraqi security forces either on duty or in training. Iraqi security forces falling under the Ministry of the Interior's jurisdiction also have a crucial role in national security. Those forces include the Iraqi Police Service, the Civil Intervention Force and the Department of Border Enforcement.

The Iraqi Police now number over 86,000. We are currently training the civil intervention force, an emergency response force, and a dignitary protection force. The goal is to have 135,000 well-equipped, highly motivated police when training efforts are complete. The Department of Border Enforcement has hired over 14,000 border police — with a goal of hiring 32,000. In addition to the forces from the Ministries of Defense and the Interior, the other Ministries are guarded by the Facilities Protection Service, which has nearly 74,000 personnel on duty.

Much work remains to be done and the insurgents have proven persistent in their attacks against the Iraqi Interim Government, their security forces, the Iraqi people, and all those seeking to assist and rebuild the new Iraq. Developing competent leadership for those forces is a top priority, and sometimes has been a challenge.

We are currently focused on assisting the Iraqi Government in its efforts to instil a sense of responsibility and professionalism in the Iraqi forces, and we are optimistic that we are achieving good results. The Iraqi National Guard, for example, has performed especially well in recent weeks — fighting bravely against insurgent activities. The performance of the Iraqi Police has also improved markedly since April. But there is still a lot of work ahead.

As to infrastructure development, a stable, peaceful Iraq requires more than well-trained and well-equipped security and police forces. It also requires the development of a new infrastructure and the creation of economic opportunity for the Iraqi people. To that end, forces assigned to the MNF, especially civil affairs personnel, have worked to restore essential services to the Iraqi people. For example, engineering units have helped to restore power to pre-conflict levels throughout Iraq, although the events of yesterday indicate that maintaining those basic services continues to be a challenge. They have repaired numerous bridges, ports, roads, and railroads. They have constructed schools, hospitals, post offices and other public buildings. Medical units have developed children's vaccination programmes. Civil affairs

personnel work daily with the Iraqis to help them form the structures needed to build a democratic society. The MNF will also be available to provide security for the upcoming Iraqi elections.

With reference to the role of the United Nations, while we see real progress in the efforts of the MNF to provide the means for a free, stable Iraq, I must state candidly that great challenges remain. We believe that the United Nations will be an important part of the efforts to meet those challenges. Security Council resolution 1546 (2004) endows the United Nations with a leading role to advise and assist the Iraqis in preparing and holding national elections. The Transitional Administrative Law requires the elections to be held no later than January 2005. Let there be no doubt: we are committed to that timetable.

Resolution 1546 (2004) also notes the creation of a distinct entity under the unified command of the MNF that is dedicated to providing security to the United Nations in Iraq. I think I speak for all Member Nations when I say that the horror and sorrow of the attack of 19 August 2003 are still very much with us. With the Special Representative of the Secretary General for Iraq, Mr. Qazi, and his staff of 35 dedicated people now on the ground in Iraq, I can state that the United States and the MNF remain committed to working with the international community to ensure that the security needs of the United Nations are met. But that effort merits international support if it is to be successful. The United States strongly urges that Member States contribute to the future of Iraq by providing financial assistance and troops to provide security for the United Nations in Iraq.

Time is of the essence, particularly as we look to the upcoming elections, which are to take place no later than 31 January 2005. Working together, we will help the Iraqi Government ensure that the people of Iraq reach this important milestone.

The assumption of governing authority by the Iraqi Interim Government marked the beginning of a new era for the people of Iraq. However, while the new Government is widely supported by the public, the transfer did not mean an end to the challenges that face us. Well-armed insurgents and terrorists remained determined to assassinate leaders, take hostages and attack the multinational force and Iraqi forces. Only the rule of law, backed by well-trained Iraqi forces, supported by a thriving infrastructure and economy and energized by a free and fair elections process, can defeat those who wish to destabilize the country.

We look forward to increased United Nations activities in Iraq, especially those that will promote the democratic process. You can rest assured that the multinational force remains committed to working with the Iraqi people and the United Nations to make that possible.

The President (*spoke in Spanish*): I thank Ambassador Danforth for the comprehensive information that he has provided.

I now give the floor to the representative of Iraq.

Mr. Al-Istrabadi (Iraq): At the outset, I should like to take this opportunity, Mr. President, to congratulate you on your assumption of the presidency of the Security Council for this month and to commend your predecessor, the Permanent Representative of the Russian Federation, for his efforts last month. I thank each of the members of the Security Council for allowing me the great privilege of addressing the Council today.

Since I last sat here on 8 June 2004, I can say that we have made genuine progress in re-integrating Iraq into the community of nations. Despite an unprecedented rise in terrorist violence, whose aim was to impede the transfer of authority to a sovereign Government, such a Government took office ahead of the schedule set by the Law of Administration of the State of Iraq for the Transitional Period (TAL). Pursuant to the annex to the TAL, a national conference was held in August, and an Interim National Assembly has been formed. Today, its government is truly the most representative in Iraq's history, not merely in terms of ethnic or confessional make-up, but — equally importantly — in terms of the broad range of political ideologies and beliefs held by its members. It is truly a Government of national unity. While there are difficulties — of which this Council is aware — we are, brick by brick, rebuilding a cohesive Iraqi State based upon the consent of the governed.

A principal function of the interim Government is to provide for elections, as required by the TAL and affirmed in resolution 1546 (2004). As in the past, terrorists are determined to frustrate this progress. As Iraqis meet each landmark date — and particularly as we approach and hold elections — the terrorists know that, increasingly, their days are numbered. They are

now working, in a frenzy, therefore, to delay elections. How else do we explain the most recent violence, particularly events such as the barbarous bombings of Christian churches on a Sunday evening, while men, women and children were in the very act of worshipping God? I must also note the events that took place today. This is not the first time that those who are attempting to participate in rebuilding the security infrastructure of Iraq have been targeted. Just as the efforts to dissuade Iraqis from participating in forming the security structures have failed in the past, I am convinced that they will fail today, as well.

It is, no doubt, those events which the Secretary-General contemplates in his report, whose most consistent theme is the extant security situation. Those events, recalled in light of the heinous murder of Sergio Vieira de Mello — a man I had the privilege of getting to know and to whom Iraq will long owe a debt of gratitude — are no doubt factors in the apparent reticence of the United Nations and some countries to engage fully in Iraq. Yet keeping the United Nations and the world out of Iraq is one of the tactical goals of the terrorists — and they have, unfortunately, already met with some success in that respect.

It is a fact that Iraq needs the technical support of the United Nations in order to hold elections. We know that. The United Nations knows that. The countries represented at this table and beyond know that. And so do the terrorists. They are determined, at any cost, to prevent that vital assistance from going forward. They must not succeed.

It is also a fact that the number of United Nations workers now in Iraq is inadequate. The Secretary-General notes that the total number of United Nations employees has been limited to 35. Yet for the United Nations to have adequate teams of elections experts in Iraq, it must increase that number. More is needed on a going-forward basis than the administrative expertise provided up to this point, however invaluable it has been. The daunting job now begins, for instance, of doing the fieldwork to set up registration sites and to register voters. Iraq's sons and daughters, scattered in diaspora for too long, desperately and universally wish to participate in these elections. Countless other such issues in need of discussion and solution exist, and the expertise of the United Nations in resolving these issues is indispensable. There is simply no other place for us to turn; no one does a better job than the United Nations of assisting in organizing credible, honest elections in emerging democracies. Here, I must commend Ambassador Qazi for his efforts in Iraq in the time that he has been there.

We understand the concern for security, however. We have appealed to the United Nations, as a body, fully to engage in Iraq. And we appeal to the world community to do the same — for Iraq needs you, as well. In the brief time since I assumed my responsibilities here in New York, I have been heartened to learn that several countries have agreed either to provide security forces to protect United Nations workers or to provide funding for such operations. We are grateful to those States, but more is needed. We urge other countries to pledge forces and funds to assist in securing the safety of United Nations workers in Iraq. Security is, of course, the ultimate responsibility and duty of the Iraqi Government — a fact affirmed in resolution 1546 (2004). Recognizing the exigencies, Iraq has turned to the multinational force to assist in these vital responsibilities. But the multinational force is now engaged in activities far different than the security forces about which I am speaking. The purpose and function of this force, as we see it, would be, in the first instance, to provide protection for United Nations workers as they engage in the essential activities of assisting Iraqis in holding true, fair and clean elections throughout Iraq, perhaps for the first time in our history.

Let me say a word about the political process in Iraq in the light of the security situation. We are determined to rebuild our country. We are determined never again to be subject to government by coercion and oppression. We are determined never again to be ruled against our will by men who came to power without our consent. It is to that end that our Government has announced a two-track approach to the current violence. On the one hand, we are determined that no one will achieve political ascendancy — much less legitimacy — through force of arms. Those determined to impose themselves on Iraq's polity through violence in order to return us to tyranny will find Iraqis ready to join the battle to prevent their doing so.

On the other hand, we encourage those individuals and movements who are willing to lay down their arms and abide by the rule of law and by the terms set forth by Prime Minister Ayad Allawi to enter the political process, to engage Iraq's electorate and to abide by the results of forthcoming elections.

The Prime Minister has been in dialogue with groups that have hitherto not entered the political process. We are hopeful that many will chose to join us in rebuilding Iraq, rather than continuing to obstruct the effort.

Allow me one final observation, Mr. President. Although peace has not yet obtained throughout Iraq — due mostly to the intervention of foreign religious militants and extremists and remnants of the previous regime — Euro-American pundits who predicted inter-ethnic or inter-confessional strife in post-war Iraq have been proven wrong. Whatever other problems Iraqis may now be experiencing, a civil war like that in the former Yugoslavia is not one of them. Unchastened by their prior error, many of those same pundits now call for the de facto dissolution of the country along ethnic and confessional lines. They were wrong before, and they are wrong now.

It is significant that no Iraqi today calls for the dismemberment of Iraq. We are united in our determination to forge a federal, democratic and unified Iraq. We need the help of every Member State and of the Organization to achieve these goals. The consequences of failure are too great — not only for Iraqis but for the region and, indeed, the world. No one sitting at this table needs to be reminded of the strategic significance of Iraq and the dangers such a failure would pose. With the help of the United Nations and of those generous Member States who join the process, we pledge to strive to vindicate our goal of building the Iraq I have described. We are confident of success.

The President (*spoke in Spanish*): I thank the representative of Iraq for his kind words addressed to the presidency and the Council members.

In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 11.05 a.m.

United Nations S/PV.5034

Security Council

Distr.: General
15 September 2004

Original: English

Official communiqué of the 5034th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Wednesday, 15 September 2004, at 10 a.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"On 15 September 2004, the Security Council, pursuant to resolution 1353 (2001), annex II, sections A and B, held its 5034th meeting in private with the troop-contributing countries to the United Nations Mission in Liberia.

"The Security Council and the troop-contributing countries to the United Nations Mission in Liberia heard a briefing under rule 39 of its provisional rules of procedure by Mr. Jacques Paul Klein, Special Representative of the Secretary-General for Liberia.

"Members of the Council, Mr. Klein and representatives of participating troop-contributing countries had a constructive exchange of views."

04-51088 (E) 150904

United Nations S/PV.5035

Security Council

Distr.: General
15 September 2004

Original: English

Official communiqué of the 5035th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Wednesday, 15 September 2004, at 3 p.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"On 15 September 2004, the Security Council, pursuant to resolution 1353 (2001), annex II, sections A and B, held its 5035th meeting in private with the troop-contributing countries to the United Nations Mission in Sierra Leone (UNAMSIL).

"The Security Council and the troop-contributing countries heard a briefing under rule 39 of its provisional rules of procedure by Mr. Daudi Ngelautwa Mwakawago, Special Representative of the Secretary-General for Sierra Leone."

04-51174 (E) 150904

United Nations S/PV.5036

Security Council

Fifty-ninth year

Provisional

5036th meeting

Friday, 17 September 2004, 10.30 a.m.

New York

President:	Mr. Yáñez-Barnuevo	(Spain)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Valle
	Chile	Mr. Maquieira
	China	Mr. Zhang Yishan
	France	Mr. Poirier
	Germany	Mr. Pleuger
	Pakistan	Mr. Mahmood
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Konuzin
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Danforth

Agenda

The situation in Liberia

Fourth progress report of the Secretary-General on the United Nations Mission in Liberia (S/2004/725)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-51324 (E)

The meeting was called to order at 10.40 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Liberia

Fourth progress report of the Secretary-General on the United Nations Mission in Liberia (S/2004/725)

The President (*spoke in Spanish*): I should like to inform the Council that I have received a letter from the representative of Liberia, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Kawah (Liberia) took a seat at the Council table.

The President (*spoke in Spanish*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the fourth progress report of the Secretary-General on the United Nations Mission in Liberia, document S/2004/725. Members also have before them document S/2004/740, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall now put the draft resolution to the vote.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Algeria, Angola, Benin, Brazil, Chile, China, France, Germany, Pakistan, Philippines, Romania, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in Spanish*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1561 (2004).

I give the floor to the representative of the United States of America, who wishes to make a statement following the vote.

Mr. Danforth (United States of America): It is the policy of the United States Government to ensure that members of the armed services of the United States of America participating in United Nations peace operations are protected from criminal prosecution or other assertion of jurisdiction by the International Criminal Court. Normally, the United States would seek express provisions providing such protection for personnel from States not party to the Rome Statute that contribute to any mission established or authorized by the United Nations. In this instance, the United States maintains sufficient bilateral protections with the Government of Liberia to facilitate continued United States participation in the United Nations Mission in Liberia absent such express provisions in the mandate extension.

The President (*spoke in Spanish*): There are no further speakers on my list.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.45 a.m.

United Nations S/PV.5037

Security Council

Fifty-ninth year

Provisional

5037th meeting

Friday, 17 September 2004, 10.45 a.m.

New York

President:	Mr. Yáñez-Barnuevo	(Spain)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Valle
	Chile	Mr. Muñoz
	China	Mr. Zhang Yishan
	France	Mr. Poirier
	Germany	Mr. Pleuger
	Pakistan	Mr. Mahmood
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Konuzin
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Danforth

Agenda

The situation in Sierra Leone

Twenty-third report of the Secretary-General on the United Nations Mission in Sierra Leone (S/2004/724)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-53330 (E)

The meeting was called to order at 10.45 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Sierra Leone

Twenty-third report of the Secretary-General on the United Nations Mission in Sierra Leone (S/2004/724)

The President (*spoke in Spanish*): I should like to inform the Council that I have received a letter from the representative of Sierra Leone, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Rowe (Sierra Leone) took a seat at the Council table.

The President (*spoke in Spanish*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the twenty-third report of the Secretary-General on the United Nations Mission in Sierra Leone, document S/2004/724. Members also have before them document S/2004/741, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall now put the draft resolution to the vote.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Algeria, Angola, Benin, Brazil, Chile, China, France, Germany, Pakistan, Philippines, Romania, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in Spanish*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1562 (2004).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Council will remain seized of the matter.

The meeting rose at 10.50 a.m.

United Nations S PV.5038

Security Council

Fifty-ninth year

Provisional

5038th meeting

Friday, 17 September 2004, 10.50 a.m.

New York

President:	Mr. Yáñez-Barnuevo	(Spain)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Valle
	Chile	Mr. Muñoz
	China	Mr. Zhang Yishan
	France	Mr. De La Sablière
	Germany	Mr. Pleuger
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Konuzin
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Danforth

Agenda

The situation in Afghanistan

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-51336 (E)

The meeting was called to order at 10.50 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Afghanistan

The President (*spoke in Spanish*): I should like to inform the Council that I have received a letter from the representative of Afghanistan, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Farhâdi (Afghanistan) took a seat at the Council table.

The President (*spoke in Spanish*): The Security Council will now begins its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2004/742, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. If I hear no objection, I shall now put the draft resolution to the vote.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Algeria, Angola, Benin, Brazil, Chile, China, France, Germany, Pakistan, Philippines, Romania, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in Spanish*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1563 (2004).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Council will remain seized of the matter.

The meeting rose at 10.55 a.m.

United Nations S/PV.5039

Security Council

Fifty-ninth year

Provisional

5039th meeting

Friday, 17 September 2004, 10.55 a.m.

New York

President:	Mr. Yáñez-Barnuevo	(Spain)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Valle
	Chile	Mr. Muñoz
	China	Mr. Zhang Yishan
	France	Mr. De La Sablière
	Germany	Mr. Pleuger
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Konuzin
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mrs. Patterson

Agenda

The situation in the Middle East, including the Palestinian question

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-51342 (E)

The meeting was called to order at 10.55 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in Spanish*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

There being no objection, it is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs. I now call on Mr. Prendergast.

Mr. Prendergast: It has been a bad month in the Middle East. We have seen a marked increase in the number of casualties on both sides, and a resumption of suicide bombings.

Nor is there good news to report in terms of a return to the negotiating table through a start on implementation of the road map. On the contrary, Prime Minister Sharon is reported to have said publicly that Israel is not following the road map and that Israel might stay in the West Bank long after any withdrawal from Gaza. Meanwhile, new decisions have been announced on settlement activity and Palestinian reform remains stalled.

In terms of specific events, the past five weeks were overshadowed by the first major suicide bombing since March this year, as well as by a number of Israeli military operations, incursions and acts of destruction. On 31 August, 16 Israelis were killed and more than 100 injured as a double suicide bombing hit two buses in the southern Israeli city of Beer Sheva. Responsibility for that terror attack was claimed by Hamas, which stated that it was an act of revenge for Israel's assassinations of its spiritual leader and his successor in the spring.

The Secretary-General has unreservedly and repeatedly condemned such acts of terror. We again call on the Palestinian Authority to bring those implicated in terrorist acts to justice and to fulfil its obligation under the road map, as well as under international law, to do its utmost to prevent such attacks.

In all, 80 Palestinians and 17 Israelis have been killed in the past five weeks; 630 Palestinians and 133 Israelis have been injured. The latest grim toll means that since the eruption of the current intifada in September 2000, 3,633 Palestinians and 966 Israelis have been killed, and 35,400 Palestinians and 6,235 Israelis have been injured.

Israeli military operations continue to result in death and injury to Palestinian civilians. For example, on 30 August, a 9-year-old Palestinian girl was injured when a missile hit her home instead of a car during a targeted killing operation in Gaza City. And on 7 September, a 10-year-old girl from the refugee camp in Khan Younis was hit in the head by a bullet while sitting in her classroom in a United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) school. She underwent major surgery but remains in a coma in critical condition. We again call on the Government of Israel to respect its legal obligations to ensure the safety of Palestinian civilians.

Violence in and around Gaza continued during most of the reporting period. On several occasions, Palestinian militants launched Qassam rockets and mortar shells against Israeli settlements in Gaza, as well as against the town of Sderot inside Israel, causing damage and requiring a number of people to be treated for shock. On 6 September, Israeli helicopter gunships, tanks and warplanes attacked a Hamas training site in Gaza City, killing 14 Palestinians — mostly militants — and injuring 30. Palestinian militants then fired a number of Qassam rockets. On 8 September, Israeli troops, backed by tanks and helicopters, entered the Gaza Strip in the south and the north and continued operating near Beit Hanoun and the Jabaliya refugee camp in the northern Gaza Strip for four days. Eight more Palestinians, including at least two children, were killed and more than 50 were wounded.

On 15 September, 11 Palestinians were killed, among them an 11-year-old girl, in Israeli operations in

Nablus and Jenin in the West Bank. Earlier, at least two Palestinians, one of them a 10-year-old boy, were killed in a two-week-long Israeli operation in and around Nablus, after an Israeli had been killed by a Palestinian attacker near the settlement of Itamar on 13 August. Dozens of Palestinians were wounded in the course of the operation. On 26 August, a 9-year-old girl and her father were injured as a helicopter fired at their house in the Old City of Nablus.

Israel carried out targeted assassinations during the reporting period, killing five Palestinians and injuring seven in an explosion that was set off in the house of a Hamas activist in Gaza city on 18 August. On 13 September, an Israeli helicopter strike killed three Palestinian militants as they travelled in their car in the Jenin area. We, again, have repeatedly stated that extrajudicial killings are illegal. We call on the Government of Israel to cease such acts immediately.

As we have also made clear previously, the widespread destruction of Palestinian property by Israeli forces raises concerns about collective punishment, and it fuels more violence and bloodshed. Between 11 August and 14 September, Israeli forces demolished 63 houses and several multi-storey buildings, leaving hundreds of Palestinians homeless. On 31 August, a 14-year-old Palestinian boy was killed during one of the frequent incursions to demolish houses in the Rafah refugee camp. Another 14-year-old was killed in an incursion on 2 September, and around 20 Palestinians were wounded.

Worryingly, ambulances and medical teams operating in the occupied Palestinian territory continue to be delayed and subjected to searches — and sometimes even physical assault — by Israeli forces. For instance, on 31 August, an ambulance of the Palestinian Medical Relief Society was fired on while waiting at the Abu Houli checkpoint in the Gaza Strip, resulting in the injury of the ambulance driver as well as of one member of the five-strong medical team.

United Nations agencies are affected by Israeli restrictions on movement. During an especially strict closure of the Erez crossing, begun on 31 August, UNRWA Commissioner-General Peter Hansen was unable to leave the Gaza Strip for the West Bank. That was a violation of Israel's obligation under international law and as a United Nations Member State to guarantee United Nations personnel freedom of movement. Since March, United Nations national staff have not been permitted to cross Erez in vehicles, even though crossing Erez on foot has been determined to be unsafe. We call on Israel to allow national staff to pass the crossing in a safe manner, as international staff do.

But it is Palestinian civilians who suffer by far the most under the severe movement restrictions that Israel imposes. As has often been its practice in recent years, Israel instituted a complete closure on the entire occupied Palestinian territory from 9 September onwards, ahead of the Jewish holidays. That closure, which is expected to remain in place at least until late September, has brought life in the West Bank and Gaza Strip to a virtual standstill and is effectively undermining all efforts to resuscitate the ailing Palestinian economy. In addition, the Palestinian school year, which began on 1 September, has already been severely disrupted by checkpoints, curfews and other restrictions on movement.

The Israeli policy of confiscating and/or levelling Palestinian land has continued. In the past month, several hundred more dunums of olive groves and fruit trees and other agricultural land in the West Bank and Gaza were seized and uprooted by Israeli forces in the context of military operations and for the construction of Israel's barrier. We are still awaiting further details to be published on the exact routing of the parts of the barrier that remain to be constructed in the West Bank. Israel is currently revising long sections of the barrier route in accordance with a ruling of the Israeli High Court of Justice. The Israeli High Court, while hearing a number a petitions on the routing of the barrier, has also instructed the Government to respond to the advisory opinion rendered by the International Court of Justice on 9 July, and that may have a further impact on the route of the barrier.

Meanwhile, however, Israel continues to construct the barrier to the east of Jerusalem. In addition, there have been reports that construction will be speeded up to the south of Jerusalem. We call on Israel to abide by its legal obligations, as expressed in the advisory opinion of the International Court of Justice and in the General Assembly resolution of 20 July, which took note of the opinion and demanded that Israel comply with its legal obligations, cease construction work, dismantle the wall and compensate the affected population. The Secretariat is currently working on detailed terms of reference for the establishment of a registry of damages, as requested by the General Assembly. The Secretary-General hopes to

present his plans to the Assembly by the end of this month.

It has been said many times — but it is no less true for being repeated — that only a negotiated settlement between Israelis and Palestinians can ultimately put an end to the conflict, halt the violence and stop the suffering of both peoples. In the absence of any political dialogue between the two parties, the Quartet's road map for peace is the only realistic and viable path out of the current hopeless situation and back towards the resumption of dialogue and negotiations. The Council endorsed the road map in resolution 1515 (2003). The Secretary-General remains convinced that implementation of the road map is the only way forward. However, both parties continue to fail to meet their minimum obligations under it.

On 17 August, the Government of Israel released tenders for the construction of 1,001 new housing units in West Bank settlements. Only a few days later, media reports indicated that the Israeli Government had also approved the rezoning of land to allow for the construction of a further 533 housing units. This recent drive of the Israeli Government to expand settlements in the occupied Palestinian territory, together with that Government's continued failure to remove all settlement outposts erected since March 2001, stands in clear contradiction to Israel's road map obligation to freeze all settlement activity, including natural growth, as well to the report of the Sharm el-Sheikh Fact-Finding Committee: the Mitchell report. We call on Israel to meet its obligations under international law and under the road map.

For its part, the Palestinian Authority has failed to make progress on its obligation to take immediate action on the ground to end the violence and combat terror and to institute meaningful measures of reform. Progress on the implementation of reform continues to be slow and uncertain — which, as we have been saying persistently, can be explained only by a lack of political will to advance along that road.

In a speech he delivered before the Palestinian Legislative Council on 18 August, President Arafat acknowledged past mistakes and reiterated the Palestinian Authority's commitment to reform, pledging that more support would be given to the security organizations and to Prime Minister Abu Ala. Such statements are welcome. They need to be translated into tangible action. We reiterate our call on President Arafat to institute tangible reform of the security services. The existing system should be consolidated into three main services, to be supervised by a professional leadership under the authority of an effective interior minister. The interior minister should, in turn, report to an empowered Prime Minister. Real progress cannot be postponed any longer.

It is important for the Council to note that reform is a priority item on the domestic agenda of the Palestinians themselves. The Palestinian Legislative Council announced that it would suspend its sessions from 7 September to 7 October in protest against President Arafat's refusal to sign 12 laws passed by the Council.

Yet it is encouraging to see that, despite the difficult circumstances and limitations on freedom of movement, the voter registration process began on 4 September under the auspices of the Central Elections Commission, as the international community had persistently demanded. However, much work remains to be done to ensure that the local elections, which are slated to begin in 36 out of 128 cities and municipalities on 9 December and to be staged over a period of one year, meet minimum international standards and can be deemed free and fair by the Palestinian people and the international community. Even more important, we hope that Palestinian national elections will follow soon. At the same time, it is regrettable that the Israeli authorities closed three registration centres and detained five Palestinian Commission staff on 13 September. That action is an unacceptable interference with the registration process in East Jerusalem, and we call on Israel to facilitate, rather than hinder, voter registration.

The Israeli initiative to withdraw all armed forces from Gaza and from parts of the West Bank and to evacuate all settlements in the Gaza Strip, as well as four settlements in the northern West Bank, has considerable backing in Israel. According to the polls, public support for the plan remains steady at about 60 per cent, despite vocal opposition from segments of the settler community. Practical preparations for the implementation of the initiative are progressing. On 31 August, Prime Minister Sharon underlined his commitment to implement the initiative and outlined a detailed timetable for the legislative process arising from the plan, which has already begun. On 14 September, the security cabinet approved the legislative package for the implementation of the

disengagement plan, including principles for the evacuation of settlements and compensation for settlement residents. The Government also approved advance compensation for those settlers relocating voluntarily, and is slated to discuss — on 24 October, before the Government plans to present it to the Knesset on 3 November — the wider legislation pertaining to the initiative.

We have consistently made clear the extreme importance of the context within which the Israeli withdrawal takes place. At the outset of this briefing, I noted the absence of any progress towards a return to the negotiating table or towards implementation of the road map. We were accordingly extremely concerned by recent remarks by Prime Minister Sharon to the effect that Israel is not following the road map and that Israel might stay in the West Bank long after any withdrawal from Gaza.

As we have said numerous times before, the Quartet believes that the Israeli withdrawal initiative provides an opportunity to create a new momentum for progress towards peace, but that can be achieved only if the four fundamental requirements the Quartet set out in its 4 May statement are met. First, the Israeli withdrawal must be full and complete; secondly, it must lead to an end of the occupation of the Gaza Strip and it must be accompanied by similar steps in the West Bank; thirdly, it must take place within the framework of the road map and the two-State vision; and fourthly, it must be fully coordinated with the Palestinian Authority and the Quartet. Those requirements are the very same elements that lay the basis for successful implementation of the road map.

The Quartet principals are due to consult informally next week here at the United Nations in order to discuss the withdrawal initiative and to review developments on the ground. A few days ago, the Quartet envoys met to prepare for that meeting. The Ad Hoc Liaison Committee, which is the main donor coordination body, has decided to delay its meeting scheduled for later this month, but remains in close consultations over how the donor community can assist the parties to turn the Israeli withdrawal initiative into a significant step forward and how to enable it to contribute to a sustained recovery of the Palestinian economy and begin the long-awaited process of nation-building.

The revitalization of the Palestinian economy is an indispensable element on the path towards peace and remains the chief concern of the donor community at this extremely critical stage. Forty-seven per cent of the Palestinian population currently live in poverty. Unemployment among Palestinians stands at 34.3 per cent, according to the Palestinian Bureau of Statistics. At present, the UNRWA and the World Food Programme are providing regular food aid to almost 1.5 million beneficiaries — 39 per cent of the total Palestinian population in the occupied territory — and UNRWA is now supplying 10 times more food than it was before September 2000. In the absence of access to other employment opportunities, the Palestinian Authority employs 41 per cent of all waged workers, each with a large number of dependent relatives. Even with the currently large-scale external support for the Palestinian Authority, the Authority faces budget problems and may be unable to continue paying wages soon. The consequence would be a complete economic collapse throughout the Palestinian areas.

As regards the situation on the Blue Line, a number of Israeli air violations have taken place. After an initial period of calm following last month's briefing, two air violations were recorded on 30 August. On 8 and 9 September, a total of 13 air violations took place. We reiterate our call on Israel to cease these violations and we remind all parties that one violation cannot and does not justify another.

If I may turn briefly to Security Council resolution 1559 (2004), I would like to report that the Secretary-General has taken note of the request to him to report on implementation of the resolution. I would like to inform the Council that contacts and consultations have started to that end. The Secretary-General expects to report back to the Council within the 30-day timescale set out in resolution 1559 (2004).

I regret to report that no progress has been achieved on the Syrian-Israeli track. Tension increased in the aftermath of the double suicide bombing in Beer Sheva on 31 August, but we hope that neither side will be tempted into any action that might raise the risk of instability throughout the region. On a more positive note, President Assad was reported in the media again to have expressed interest in renewing negotiations with Israel. It remains of utmost importance that Israel and Syria resume their suspended peace negotiations, so as to implement resolutions 242 (1967) and

338 (1973). Our objective must remain a just, lasting and comprehensive settlement in the Middle East.

In conclusion, let me say that, as has too often been the case in recent months, there is little positive and much discouraging to note and report. The continuing void in terms of an active peace process is especially troubling. As we all know, nature abhors a vacuum. Absence of hope for a peaceful settlement leads to despair, strengthens extremists and is a sure recipe for continuing violence and instability. Nevertheless, the Israeli withdrawal initiative, if — and I repeat, if — moved forward in the right way, could lead Israelis and Palestinians back to the negotiating table. If it does, it could become a turning point and ultimately also lead to progress on the Syrian and Lebanese tracks. For that to happen, the parties will no doubt need much encouragement and support from the international community.

The President (*spoke in Spanish*): In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 11.20 a.m.

United Nations S/PV.5040

Security Council

Fifty-ninth year

Provisional

5040th meeting

Saturday, 18 September 2004, 3.35 p.m.

New York

President:	Mr. Yáñez-Barnuevo	(Spain)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	Chile	Mr. Muñoz
	China	Mr. Wang Guangya
	France	Mr. De La Sablière
	Germany	Mr. Pleuger
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Denisov
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Danforth

Agenda

Report of the Secretary-General on the Sudan

Report of the Secretary-General pursuant to paragraphs 6 and 13 to 16 of Security Council resolution 1556 (2004) (S/2004/703)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-51529 (E)

The meeting was called to order at 3.35 p.m.

Adoption of the agenda

The agenda was adopted.

Report of the Secretary-General on the Sudan

Report of the Secretary-General pursuant to paragraphs 6 and 13 to 16 of Security Council resolution 1556 (2004) (S/2004/703)

The President (*spoke in Spanish*): I should like to inform the Council that I have received a letter from the representative of the Sudan, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Erwa (Sudan) took a seat at the Council table.

The President (*spoke in Spanish*): On behalf of the Council, I welcome the presence at this meeting of the Secretary-General, Mr. Kofi Annan.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General pursuant to paragraphs 6 and 13 to 16 of Security Council 1556 (2004), document S/2004/703.

Members of the Council also have before them document S/2004/744, which contains the text of a draft resolution submitted by Germany, Romania, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I wish to draw the attention of the members of the Council to document S/2004/739, containing the text of a letter dated 16 September 2004 from the representatives of Australia, Canada and New Zealand addressed to the President of the Security Council.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

Mr. Baali (Algeria) (*spoke in French*): Algeria has been following attentively, and with profound concern, developments in the situation in Darfur and in its impact on the civilian population, which faces an unprecedented humanitarian crisis. We have followed those developments all the more attentively and with all the more concern because the tragedy affects a country and populations that are bound to my country and my people by exceptionally strong fraternal relations. The unspeakable, tragic suffering daily experienced by those populations powerfully demands our involvement. It is our fervent desire and our priority objective that this suffering should come to an end as soon as possible.

Therefore — and because Algeria is active in the African Union observer mission in Darfur and in the Peace and Security Council of the African Union, of which it is a member — my country has been unstinting in its humanitarian and political efforts, and has worked with the discretion and effectiveness required to restore peace and stability to that part of the Sudan and to enable displaced populations to return to their homes in calm and security.

It is in that spirit that from the very outset Algeria has lent its full support to the efforts of the African Union, in the conviction that President Obasanjo — who is fully committed to attaining a political solution — will succeed in bringing the parties concerned together. We are convinced too that the African Union will maintain constant contact with the Sudanese Government to ensure its full cooperation with the United Nations and with the African Union. We are all aware that there is no alternative to the Sudanese Government's active cooperation, so that, with the support of the African Union and the international community, the suffering of the population of Darfur may come to an end.

Our conviction that the African Union is the most appropriate organization to seek a settlement to the crisis in all its dimensions was further strengthened by

the attainment on 1 September of an agreement among the parties on humanitarian issues, and even more so when we saw the Sudanese Government itself taking the initiative to request the African Union to step up its presence in Darfur, as confirmed in a letter dated 7 September from the Chairperson of the African Commission addressed to the Secretary-General.

Moreover, both the Secretary-General and his Special Representative have noted significant progress in Darfur, while pointing out areas where this is lacking. And Mr. Pronk even paid tribute in this Chamber to the Government of Sudan for the progress it has made and for the good will shown in its relationship with the United Nations.

Because of the progress made and in the light of the Secretary-General's report (S/2004/703), we therefore naturally expected the Security Council to take note of that progress and to urge the Sudanese Government to undertake further efforts in areas where shortcomings have been highlighted — particularly in the area of security, which will be a source of legitimate concern for the whole international community if we do not set strict parameters to be respected.

We also expected that the Security Council would call on the rebel groups to try harder to arrive at a just and final settlement of the crisis and that — together with the African Union, which had decided to do so — it would call for the cantonment of rebel forces in mutually agreed sites, simultaneously with the Sudanese Government's disarmament of the armed militias.

Because neither the Secretary-General nor his Special Representative recommended that, and because we believed that a dynamic of cooperation had replaced the spirit of confrontation, we did not expect the Security Council to threaten the Sudanese Government once again with recourse to sanctions.

Despite the improvements that were made, the text before us today poses problems, for the following reasons.

First, in our view, it does not really do justice to the Government of the Sudan — which has taken initiatives and carried out actions that go in the right direction — and highlights only the shortcomings that have been noted.

Secondly, it envisages the possibility of using sanctions against the Sudan, not only if there is a lack of compliance with the Security Council resolution, but also if there is a lack of cooperation with the African Union concerning the extension of its mandate, even though Sudan has itself officially requested the extension and strengthening of the mandate of the African mission in Darfur and has committed itself to serious cooperation with the United Nations to implement resolution 1556 (2004) and with the African Union to expand its presence in Darfur.

Finally, this text calls for the creation of an international commission of inquiry charged with determining whether genocide has been committed in Darfur, whereas, for the sake of effectiveness and in order to address the urgency and gravity of the crisis, the international community — as attested to by statements of the Secretary-General and the Secretary of State of the United States — had wisely set aside, at least for the time being, the question of whether or not genocide had been committed, so as not to disrupt or jeopardize the delivery of humanitarian assistance and the ongoing African Union efforts aimed at reaching a political settlement.

Those are three basic points concerning which we would have wished the sponsors of the draft resolution to show the same understanding and flexibility that they demonstrated — and we thank them for that — with regard to other aspects of the text, particularly by clarifying and defining the African Union's leading role, for which we are particularly grateful; by removing certain measures that might have been unacceptable assaults on Sudan's sovereignty, such as unrestricted overflight of its territory; and, finally, by underscoring the need to respect the independence, sovereignty, unity and territorial integrity of the Sudan.

Greater flexibility would have enabled the Council to adopt a unified position in the face of the Darfur crisis; I stress that we need to speak with one voice when a tragedy of the scope of that in Darfur challenges us to act together to put an end to it. Unfortunately, that was not the case. Therefore, although we welcome some of the highly positive elements of the draft resolution, we will abstain in the voting on the text.

The President (*spoke in Spanish*): I shall now put to the vote the draft resolution contained in document S/2004/744.

A vote was taken by show of hands.

In favour:

Angola, Benin, Brazil, Chile, France, Germany, Philippines, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

None

Abstaining:

Algeria, China, Pakistan, Russian Federation

The President: The result of the voting is as follows: 11 votes in favour, none against and 4 abstaining. The draft resolution has been adopted as resolution 1564 (2004).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Denisov (Russian Federation) (*spoke in Russian*): The Russian Federation has been closely following the complex political and humanitarian situation in the Sudanese province of Darfur. We share the assessment of the Secretary-General and his Special Representative, Jan Pronk, with regard to its complex development.

The Government of the Sudan has achieved a certain amount of progress in implementing its obligations under Security Council resolution 1556 (2004), particularly in the humanitarian area. However, much remains to be done to normalize the security situation, including disarming the Janjaweed and other outlaw armed groups. We need to ensure the reliable protection of the civilian population in Darfur. Here, the main responsibility still lies with the Sudanese authorities. The rebels too must implement their obligations.

The Security Council is called upon to respond to the request of the members of the African Union and to fully support their efforts to monitor the implementation of resolution 1556 (2004) and the agreements reached with the United Nations. We note progress in the dialogue between the African Union and Khartoum on that issue, and we hope for the swift achievement of concrete results. It is also important that we continue to support the Abuja and Naivasha negotiating processes in order to achieve a comprehensive peaceful settlement in the Sudan.

The Russian delegation participated constructively in work to reach agreement on a draft resolution containing those points of principle. We are convinced that threatening sanctions is far from the best method of inducing Khartoum to fully implement its obligations to the United Nations. In order to do that, we should use approved diplomatic methods.

We also feel that it is counterproductive to link the possibility of introducing sanctions and the peace-building efforts of the African Union. We should abide strictly by the provisions of Chapter VIII of the Charter on cooperation with regional organizations.

Unfortunately, the sponsors of the draft resolution did not take those main concerns of ours into account, although the text was improved in the course of consultations. Faced with that situation, the Russian delegation was unable to support the document. Russia will continue to work actively to promote — including within the Security Council — the swift stabilization of the situation in Darfur and in the Sudan as a whole.

Mr. Wang Guangya (China) (*spoke in Chinese*): Over the past few months, the situation in Darfur has gradually improved and it is now moving in the right direction, thanks to: the joint efforts of all the parties, in particular the African Union; the joint communiqué between the Sudanese Government and the Secretary-General, Mr. Kofi Annan, signed on 3 July; and, especially, the signing in early August of the Plan of Action by the Sudanese Foreign Minister and the Special Representative of the Secretary-General. The Sudanese Government has shown its sincerity in trying to resolve the problem, and has adopted many measures accordingly. That objective reality cannot be denied.

Under those circumstances, and given the complexity of the Darfur issue, the Security Council and the international community should focus on encouraging the Sudanese Government to continue to cooperate, rather than doing the opposite. We should fully support the African Union in its mediation efforts, rather than increase its difficulties. We should help bring about an early agreement with a view to the achievement of a political solution between the Sudanese Government and the rebels, rather than send the wrong signal and make negotiations more difficult. We should increase humanitarian assistance to Darfur, rather than create a situation that could lead to the closing of the door to relief and assistance.

For those reasons, the Chinese delegation has serious reservations about the resolution just adopted. We are concerned that it will not contribute to the solution of the problem. Nevertheless, since a key element of the Council's work at present is support for the African Union in extending its deployment in Darfur — reflecting the wishes of the African Union and of the Secretary-General, as well as the broad consensus view — the Chinese delegation refrained from blocking the adoption of the draft resolution.

The Chinese Government greatly appreciates the enormous, valuable efforts being made by the African Union in seeking a solution to this issue. We support expanding the African Union's deployment in Darfur, and we call on the international community to offer all possible assistance to that end. We continue to believe that only a political settlement, achieved through negotiation, will lead to a final resolution of the Darfur crisis. We therefore hope that the Government of the Sudan and the rebel groups will accelerate their political talks in order to achieve a comprehensive agreement at an early date.

The international community should make vigorous efforts to create favourable conditions for the talks. At the same time, the international community must urge the Sudanese Government not only to improve the security situation in Darfur, but also to promptly fulfil all its commitments with regard to assistance. Those donor countries with the capacity to do so, in particular, should offer all the assistance that they can. That is the only way in which we can effectively save lives and provide help to those who need it.

Finally, we have noted that the sponsors have repeatedly stated that the threat of sanctions will not be automatically carried out. I wish to reiterate the fact that China's position against sanctions remains unchanged. It has been our consistent view that, instead of helping to solve complicated problems, sanctions may make them even more complicated.

Mr. Danforth (United States of America): Since he appointed me as special envoy more than three years ago, I have had numerous discussions with President Bush on the subject of the Sudan. Yesterday afternoon he phoned me to ask that I convey his strongly held views on the resolution just adopted by the Security Council. He said that Darfur is a catastrophe that the Council should address on an urgent basis. He underscored the importance of the expanded mission of the African Union, which he asked us to support by this resolution and logistically. He asked that the international community fulfil its commitments to humanitarian assistance for the people of Darfur. He said that, in the long run, security in Darfur will depend on successful peace talks in Abuja and on the expeditious completion of the Naivasha negotiations. In short, President Bush asked me to convey his strong support for what we are doing this afternoon.

The resolution has a threefold purpose. First, it throws the full weight of the Council behind the African Union in undertaking an increased mission in Darfur. It calls on the international community fully to support the African Union and the efforts of President Obasanjo. Secondly, it calls for the completion, on an urgent basis, of the Naivasha and Abuja negotiations, as essential to creating a peaceful, prosperous and united Sudan. Thirdly, it calls on the international community to fulfil urgently its pledges of humanitarian assistance to the people of Darfur.

We are acting today because the Government of the Sudan has failed to fully comply with our earlier resolution 1556 (2004), adopted on 30 July. Today's resolution demands that the Government of the Sudan meet in practice its verbal commitment to accept an increased number of African Union monitors. The resolution also states that if the Government of the Sudan continues to persecute its people and does not cooperate fully with the African Union, the Council will, indeed, have to consider sanctions against it and against individuals responsible for the disaster.

The resolution is the product of a negotiating process. It reflects the wishes of some delegations to recognize that the Government of the Sudan has met some of its commitments with regard to access for humanitarian assistance. But no one should be under the slightest illusion as to why the Government of the Sudan met even that commitment. It did so because of intense pressure from the international community, and it did so with great reluctance and after long delays that thwarted an early, effective humanitarian response.

The crisis in Darfur is uniquely grave in two respects. First, it is the largest humanitarian disaster in the world today, having claimed more than 50,000 lives, having displaced more than 1.2 million people and having resulted in the rape and humiliation of hundreds of thousands more. More than 2.2 million

people have been victimized in one way or another by the actions of the Sudanese Government. And I note with concern that a recent report by the United Nations Children's Fund warns that the humanitarian crisis will likely worsen in the coming weeks.

Secondly, the disaster in Darfur is entirely man-made. Unlike natural disasters, such as hurricanes and droughts, the tragedy in Darfur was entirely avoidable. It was fabricated by a Government — intent on revenge, intent on persecution, intent on breaking the spirit of an entire people — as an over-reaction to a rebellion.

Since the Security Council adopted resolution 1556 (2004) on 30 July, the violence in Darfur has continued. The Secretary-General's Special Representative, Mr. Pronk, reported that armed militias continue to threaten civilians. Mr. Pronk reported that during the second half of August, militias attacked villages in the Yassin area, killing more than 50 people. He reported that some villages were attacked three or four times. Some were looted, others completely destroyed. He also described reports of regular attacks on villages in western Darfur, including Nertiti and Masteri. He reported continuing allegations of theft and sexual attacks throughout the region. He noted that the Government had denied humanitarian workers access to the Kalma camp, and he criticized the Government for refusing to identify the perpetrators of those crimes by name. Finally, Mr. Pronk discussed the deeply rooted fear of the people of Darfur towards the Government of the Sudan and its police forces. With more than 400 villages destroyed to date, such fears are more than justified.

Norwegian State Secretary Helgesen visited Sudan and Chad from 2 to 6 September and came to similar conclusions. Members of the African Union Ceasefire Commission informed him that Sudanese helicopters and bombers had been involved in several recent attacks on villages in Darfur. On one occasion, the Norwegian delegation witnessed an armed Sudanese Government Mi-24 helicopter take off from Al Fasher. Later, the delegation received reports that the helicopter had likely been involved in an attack on a village.

Mr. Pronk's conclusions and those of Mr. Helgesen are consistent with the results of a recent survey taken by the United States State Department. In compiling its data, State Department officials interviewed 1,136 randomly selected refugees in 19 locations in eastern Chad. Sixty-one per cent had witnessed the killing of a family member. Four fifths had witnessed the destruction of their homes. Over and over again, the interviewers heard the same story. Government aircraft start the attacks by bombing villages. Government soldiers arrive in trucks, followed by Janjaweed on horseback. They surround and then enter the villages, guns blazing. They shoot and bomb fleeing villagers. They loot and destroy the villages, often shouting racial epithets and curses as they proceed with their acts of destruction. They leave behind them nothing but devastation and death. And, importantly, nine in ten of the refugees said that they had witnessed no rebel activity in the areas so mercilessly attacked by the Government and the Janjaweed.

These are indiscriminate acts of violence and terror. Secretary of State Powell recently told Congress that this evidence leads the United States to conclude that the Government of the Sudan may be condoning and perpetrating genocide. In that light, we expect the Government of the Sudan immediately to facilitate an increased African Union presence in Darfur and to comply with the other provisions of today's resolution.

We note the letter from the Sudan's Permanent Representative promising his Government's full cooperation with the African Union. We note further that previous promises of the Government of the Sudan have been made on paper but not honoured in practice. The Government of the Sudan has the responsibility to end the tragedy in Darfur. We expect it to do so.

Mr. Akram (Pakistan): Pakistan abstained in the vote on the draft resolution adopted by the Council today, and I would like to explain our reasons.

On 30 July this year, the Council adopted resolution 1556 (2004). Within a week of the adoption of that resolution, the Government of the Sudan and the Special Representative of the Secretary-General, Mr. Pronk, agreed on the Darfur Plan of Action. The Plan acknowledged that the Government of Sudan may not be able to fulfil all the requirements of resolution 1556 (2004) within 30 days.

In his briefing to the Council on 2 September (see S/PV.5027), Mr. Pronk reported positively on 10 of the 12 areas, in which the Government had made progress in fulfilment of its commitments. In two areas, the Special Representative of the Secretary-General

reported that the Government had not met its commitments. Humanitarian access had improved overall, and things seemed to be moving in the right direction. The Government of the Sudan was fully engaged with the African Union. Peace talks had commenced in Abuja. That trend deserved to be encouraged.

However, the draft resolution presented by the sponsors was consistent neither with the report of the Secretary-General (S/2004/703) nor with the briefing of the Special Representative. It failed to recognize the progress that had been achieved. We were told that the central purpose of the draft resolution was to strengthen the African Union's role. However, the provisions of the original draft resolution did not reflect that central purpose.

Nevertheless, the Pakistan delegation remained constructively engaged in the negotiations. We circulated our suggestions to improve the draft resolution's provisions and make it more balanced. We welcome the reflection of several of those suggestions in the final text, including acknowledgement of the steps taken by the Government of the Sudan to improve humanitarian access, greater emphasis on the obligations of the rebel groups and reaffirmation of the sovereignty, unity and territorial integrity of Sudan, which we believe must be upheld unconditionally in accordance with the Charter. We particularly welcome the greater emphasis on the central role of the African Union.

Nevertheless, we have stated from the outset that Pakistan cannot endorse the use, or the threat of use, of sanctions, which we believe would be unhelpful in this situation. That was why we abstained in the vote on resolution 1556 (2004). Considering that progress had been made, we did not feel it was justifiable or necessary to threaten sanctions explicitly and solely against the Government of the Sudan, sanctions which are much broader in scope and more stringent in their potential impact even compared to resolution 1556 (2004). It has also been our concern that apart from being unfair, such a threat might provoke a response that would be counterproductive, threatening international humanitarian relief and eroding the mediatory efforts of the African Union. It could also harden the position of the rebels, as appears to have already happened.

Pakistan agrees that the Security Council can and must make a useful contribution. We can do so primarily by supporting the African Union's efforts. We therefore look forward to the meeting of the Security Council with the President of Nigeria, the current Chairman of the African Union, His Excellency Mr. Olusegun Obasanjo, on 24 September.

Mr. Pleuger (Germany): We welcome the fact that the Council has adopted resolution 1564 (2004). It addresses a situation in Darfur that was dramatic when the Council adopted resolution 1556 (2004) and is still dramatic today.

Since the end of July, we have seen some progress on the part of the Sudanese Government. It has to be said, however, that this progress was limited in scope and that, more important, there was no verifiable progress in key areas of resolution 1556 (2004), such as the disarmament of the Janjaweed, the prosecution of human rights violations and the overall security situation for the population and the internally displaced persons in Darfur.

In this resolution, we again call on the Government of the Sudan to fulfil its responsibility towards its own population and its commitments under resolution 1556 (2004). We are convinced that we need to apply — and to continue to apply — pressure to achieve that goal, but we also want to pursue a dialogue with the Sudan on the best way to honour those commitments.

In that regard, we would like to commend the Secretary-General and his Special Representative, Jan Pronk, for their work, which has been an arduous attempt to find the right balance between pressure and dialogue.

We believe that the present resolution also strikes that right balance. That is why Germany decided to co-sponsor the resolution. We are convinced that we need to maintain pressure that includes the threat of sanctions without creating any automaticity. Going back behind resolution 1556 (2004) in that respect would have undermined the Council's credibility and served the suffering people of Darfur very badly.

We also believe that there is a necessity to establish a commission of inquiry to end the culture of impunity in the Sudan and help restore some measure of trust that justice will be done. We further believe that this is not only important for now, but that doing

justice is also a prerequisite for the phase of rebuilding the country and for reconciliation, as we have seen in other crisis areas.

The main point of the resolution, however, is to support the role of the African Union in solving the Darfur crisis and to obtain the cooperation of the Sudanese Government with an expanded African Union mission. We sincerely appreciate the willingness of the African Union to assume an even greater role in Darfur and in offering its cooperation to the Sudan. The Government of the Sudan should make use of this opportunity very rapidly and demonstrate that it is prepared to take up that offer. It has already taken one step in that direction in its letters to the Council; now it must follow up with action. Germany and the European Union are presently considering further substantial support for the African Union mission.

In the coming weeks, we will have to keep developments in the Sudan under very close scrutiny. At the end of the month, the Secretary-General will again report to us. In deciding what further steps to take then, we have to bear one thing in mind. Our goal is to save lives, to hold parties to the conflict to their obligations, and to achieve lasting peace in the Sudan. We must be prepared to do whatever serves that goal best.

Mr. De La Sablière (France) (*spoke in French*): France voted in favour of the resolution that the United States submitted to the Council for consideration. We have always stated that we should pursue the sole objective of saving human lives. To that end, the Council must act resolutely and responsibly. Indeed, that is the message that we have repeatedly heard from the Secretary-General, whose presence we welcome here today.

First, we must be resolute. We have heard the briefing by Mr. Jan Pronk, the Special Representative of the Secretary-General for the Sudan. Some progress has been made on the ground, as Mr. Pronk noted and the Council acknowledges in resolution 1564 (2004). Clearly, we cannot stop there. As Mr. Pronk also pointed out, we are still waiting for the Janjaweed militia to be disarmed as soon as possible and for the perpetrators of violations of human rights and international humanitarian law to be identified and punished.

To that end, the Council, together with the entire international community, must tirelessly pursue its efforts and actions, requiring our unflagging resolve. We must act with concern for effectiveness in terms of saving human lives. The situation in Darfur, as throughout the Sudan, is complex and our path narrow. Nothing can be done without the exertion of strong pressure. We must also energetically support the African Union. Its role is essential if the international community's requirements are to be met and the necessary cooperation of the Sudanese Government is to be secured.

We feel that resolution 1564 (2004) responds to those objectives and is therefore a good text. France would have wished, however, that it had obtained an even higher number of votes in favour. We place great importance in the Council's unity, which we believe to be crucial in this crisis. It is in that spirit of desire for unity and consensus that we will continue to work in the days and weeks to come to prepare for our next meeting, because the Council now awaits the Secretary-General's report on the implementation of resolution 1564 (2004) by end of the month, pursuant to resolution 1556 (2004).

In conclusion, I wish to note that today's resolution offers fresh hope to the civilian population of Darfur. It is our hope that the very clear message from this Council will be properly heard and well understood by the Sudanese Government and all the parties involved in the crisis. Our demands are clear and must be followed up by action. As I said earlier, no one in Darfur, throughout the Sudan or elsewhere should have any doubt that the Council will continue to act resolutely.

Mr. Adechi (Benin) (*spoke in French*): Benin voted in favour of the resolution that the Council has just adopted, marking a new turning point in the international community's mobilization on behalf of the Sudanese people and in the search for a speedy resolution to the humanitarian tragedy in Darfur. Throughout the negotiations, my delegation strove to contribute to the forging of consensus and the follow-up to the report of the Secretary-General, whose presence we welcome.

The report describes the situation in Darfur and the extent of the Sudanese Government's fulfilment of its obligations to the international community. We should therefore have preferred the Council's unanimity on the matter. We should also have liked the resolution to refer to Chapter VIII of the Charter in

order to highlight the cooperation and consultation necessary between the United Nations and the regional organizations. We felt that the reference in paragraph 14 to the petroleum sector, with respect to the threat of sanctions, lessened the prospect of a consensus, which might have been broader if the sponsors of the resolution had agreed to drop the reference, given the controversy and the controversial interpretations to which it may be subject.

Having said that, Benin generally supports the resolution, which expresses the Security Council's will to remain committed to encouraging the Sudanese authorities to act efficiently to improve the security situation and, above all, to halt the attacks on civilians in Darfur. We firmly support the appeal to donor countries to increase humanitarian assistance for displaced persons. We support the requirement that all militias, in particular the Janjaweed, be disarmed. We support the facilitation of the voluntary return of millions of displaced persons. We support the extensive promotion of the lead role of the African Union. We support the disarmament of the militias and all of the armed factions and the bringing to justice of those responsible for atrocities. Finally, we support the establishment of an international commission of inquiry, under United Nations auspices.

We believe that the international community is well equipped to play a role in finding a solution to the humanitarian crisis. It is urgent that we halt the hecatomb in Darfur. The situation there is totally unacceptable as regards the renewed commitment of the United Nations in favour of human dignity, which is denied to millions of citizens of a country that is a full Member of the United Nations and where the principles enshrined in the Charter proclaim their faith in the fundamental rights and the dignity and the worth of the human being.

We would like to take this opportunity in our turn to make an urgent appeal to all Sudanese parties to cooperate actively with the African Union by accepting the deployment of military observers and protection forces in sufficient numbers to ensure security for humanitarian assistance and to achieve progress in negotiations under way in Abuja so that a political solution to the conflict in Darfur can be achieved as soon as possible.

We urge the international community to increase its assistance to the endangered population to save as many human lives as possible in Darfur and to provide the African Union with the necessary assistance in order to permit a peaceful solution to the conflict and the subsequent management of the peace process.

Sir Emyr Jones Parry (United Kingdom): The United Kingdom welcomes the adoption of this resolution and the presence with us today of the Secretary-General, who has shown such leadership on this issue.

The situation in Darfur remains extremely serious, with over a million people displaced. The most recent figures suggest that there are some 2.5 deaths per 10,000 displaced persons per day. That means that there are still about 8,000 people dying each month. There are widespread security implications for the entire region. It is therefore right and entirely consistent with the facts on the ground that the Security Council should again address this issue under Chapter VII of the Charter.

Today's text acknowledges that there has been some progress by the Government of Sudan in response to resolution 1556 (2004). We very much welcome this, but there is much more to do, particularly in relation to security. The United Kingdom believes it is the pressure of the international community that has been chiefly responsible for this progress. By repeating the clear threat of measures, the Council is underlining our commitment to ensure that the Government of Sudan achieves the targets we have set and, moreover, that it meets its responsibilities, the most basic of which is to protect its own citizens.

The rebels, too, must cooperate. This resolution is also addressed to them. They have responsibilities, in particular to maintain humanitarian access and to respect human rights. This resolution should in no way be interpreted as giving cover to the rebels to carry on unacceptable behaviour.

We welcome the contribution of the African Union to date and the expansion of the African Union's mission. We call on all Member States to provide any assistance required.

There have been many credible reports of widespread violations of international humanitarian law in Darfur. It is therefore right that this Council quickly set up an international commission of inquiry to establish the facts. There can be no impunity. Those guilty of serious violations of international

humanitarian law or human rights must be brought to justice. That applies to all parties to the dispute.

Whatever the decisions taken in this Council, ultimate responsibility lies with the Government of Sudan and the rebel groups. The United Kingdom therefore regrets the adjournment of the Abuja talks without signature of the humanitarian protocol agreed on 2 September. We urge both sides, in particular the rebel groups, to engage fully in those talks when they resume next month to bring about a sustainable resolution of the situation in Darfur. It is only a political settlement in Darfur and in [Nevasha] that can bring sustained peace to the Sudan. My Government — and the European Union more generally — are determined to maintain their support for those political processes.

Mr. Sardenberg (Brazil): Brazil voted in favour of resolution 1564 (2004) on the understanding that its main thrust is that of saving lives in Darfur. When resolution 1556 (2004) was adopted on 30 July 2004 our delegation expressed the understanding that such resolution was the first of a series of decisions to be taken in due time by the Security Council with a view to promoting peace and security in Darfur, alleviating the suffering of more than a million people and putting an end to the humanitarian disaster in that region.

Resolution 1564 (2004) focuses on some of those goals by insisting on the need for further and unequivocal actions by the Government of Sudan in carrying out its primary responsibility to extend protection and security to the civilian population and to rein in the militias, as well as by pressing, in a appropriate manner, the issue of the voluntary return of refugees and displaced persons and by renewing the appeal for urgent international support for humanitarian efforts undertaken both in Sudan and in Chad. We note with interest that the resolution also addresses the issue of the Sudanese rebel groups. In addition it welcomes the steps taken by the Government of Sudan with regard to increased access for humanitarian relief.

Notwithstanding this, we are of the view that resolution 1564 (2004) could have acknowledged other positive steps taken by the Government of Sudan, as outlined by the Secretary-General and by his Special Representative, Jan Pronk — in particular, those concerning the beginning of disarmament and improvement of security in certain areas of internally displaced persons, together with the deployment of additional police. If it had done that, the Council would have firmer grounds for demanding more effective steps, particularly in the security area.

Resolution 1564 (2004) commits the international community to political and military efforts undertaken by the African Union in connection with the crisis in Darfur. Our delegation welcomes this clear engagement, although we believe that the Council should have gone further by basing the appropriate paragraphs of the resolution on Chapter VIII of the Charter. We are convinced that such provision, besides being easily acceptable, would be both timely and appropriate. It would have provided a steadier political and legal basis for the budding cooperation between the United Nations and the African Union in this particular instance.

Actually, the excessive use of Chapter VII as an umbrella for the whole operative part of this resolution — as I had already mentioned at the adoption of resolution 1556 (2004) — runs the risk of misleading all parties concerned, including international public opinion, which may understand that the pacific settlement of disputes, or even diplomatic negotiations, were not among the options considered by the Council. Indeed, the negotiations under the African Union in Abuja allow the Council to continue to nurture positive expectations.

As to the request for immediate action on the establishment of an international commission of inquiry, our major goal continues to be that of avoiding the recurrence of gross violations of human rights. We certainly hope that the precise investigation of recent highly deplorable facts will be possible at the time when the African Union is seeking to have all parties on board as the best way to find a durable political solution to the conflict in Darfur.

Finally, my delegation shares the interpretation that there should not be an automatic application of the measures mentioned in paragraph 14 in that, by mentioning now the possibilities set out in the last part of that paragraph, the Council is not prejudging the nature of its substantive decision, to be taken at an appropriate time.

The President (*spoke in Spanish*): I now call on the representative of Chile, but I wish first to congratulate him on his national day, today.

Mr. Muñoz (Chile) (*spoke in Spanish*): Today Chile voted in favour of this resolution, in order to send a clear political message. We want to see full compliance on Sudan's part with its commitments, and we want to halt the humanitarian catastrophe in Darfur pursuant to the obligations undertaken in resolution 1556 (2004) and in the joint communiqué with the Secretary-General of 3 July. While we duly appreciate the fact that the Government of Sudan has cooperated by complying with some of its promises, as stated in the resolution, those relating to the disarmament of the Janjaweed militia, the protection of the civilian population and bringing to trial those responsible for humanitarian crimes regrettably remain unfulfilled.

At the same time, this resolution gives firm backing to the work of the African Union, both its efforts in facilitating a political agreement between the Government and the rebel groups and the role of the African Union mission. The mission is going to be extended and expanded, which is welcome and is compatible with the regional approach favoured by this Council.

Our message both to the Government of Sudan and to the rebel groups is that we want to see peace in the country, an end to the slaughter and punishment of those responsible. Our country's intention is to see the commitments fulfilled so as to save lives, and not to apply sanctions. Sanctions in themselves have no value. They are, rather, tools with which to achieve higher purposes. We voted for a serious statement of our purposes. The Council will consider further measures only if those conditions are not fulfilled.

Lastly, the request that the Secretary-General set up an international commission of inquiry into every reported case of violations of international humanitarian law seems to us to be essential and urgent in order to establish the facts on the ground.

In short, this resolution is consistent with what the Council has decided in the recent past, and we hope that it will contribute to bringing about a speedy solution to the humanitarian situation in Darfur.

Mr. Motoc (Romania): Romania voted in favour of resolution 1564 (2004) for the following six reasons.

First, we find the text before us to be a follow-up consistent with resolution 1556 (2004), which laid down the policy course defined by the Council in its treatment of the situation in western Sudan. That resolution received wide support in the Council, and we considered it the framework resolution for the Council's consideration of the Sudan/Darfur question.

Secondly, the resolution fulfils the major test we all imposed upon ourselves, namely to achieve a fair balance between acknowledging progress where credit is due and, on the other hand, continuing to provide energetic and continuous encouragement to the Government of Sudan to deliver in full on the commitments and pledges it made to the international community and to its people, and with the sense of urgency imposed by the unfolding human drama in the Darfur region. The resolution is equally balanced when it recognizes the rebels' share of responsibility and when it calls upon all parties concerned to comprehensively address the full spectrum of political and security challenges confronting Sudan at present.

Thirdly, the resolution contemplates sanctions. It does not prescribe their automatic imposition, which remains a matter of an adequate, gradual approach in keeping with evolutions on the ground. This is respectful of Romania's view that we should be able to keep working with the Government of Sudan in cooperatively implementing commitments jointly entered into by that Government and the international community. This was an important reason back in July for the decision by Romania's foreign minister to visit the country in the hours following the adoption of resolution 1556 (2004).

Fourthly, the resolution recognizes regional ownership at work in this crisis situation and encourages and supports further contributions by the African Union to address the crisis in the western part of Sudan. This resolution also adequately reflects the architecture of cooperation displayed in support of the United Nations addressing the Darfur situation in conjunction with the African Union, the European Union and many individual nations from Sudan's neighbourhood as well as from all over Europe, Asia and America. That approach is essentially important for Romania as a proponent of an updated and consolidated reading and practice of Chapter VIII provisions in our times. In this context, we look forward to hearing from the current Chairman of the African Union — the head of State of Nigeria — when he addresses the Council next week.

Fifthly, a considerable amount of information and evaluation on Sudan/Darfur has been gathered lately at

the level of European Union institutions as a result of many ministerial, parliamentarian and non-governmental visits and missions on the ground. European policy formulations based on that extensive feedback from the ground point in the same direction as pronouncements from Washington and other capitals and with the views of the Secretary-General of the United Nations, and these are all consistent with the philosophy behind resolution 1564 (2004), just adopted.

Sixthly, in our twenty-first-century world, it should not be possible for the international community — for the Security Council in particular — to confine themselves to only taking a political look at events that involve tens of thousands of victims of targeted violence, especially when we hear no denial of such tragic reported facts. There should be no moral hesitation in the Council in taking up its responsibilities. While it may be true that it is not for the Council to make legal findings, it is certainly within its political, legal and moral obligation to ring the alarm bell and foster — and, indeed, urge — proper consideration of such acts in the appropriate venues.

Sudan is an important country for Romania, as it is, I am persuaded, for all of us. We all do care for the people whose lives are at risk there. In any future consideration of the Darfur question, we should therefore strive further to have the Council speak with a unified voice. Romania undertakes to continue to work in that direction.

To sum up, Romania supported resolution 1564 (2004) as an important act of the Security Council in the discharge of its responsibilities under the United Nations Charter, trusting that it will make a difference on the ground for all people who are suffering or at risk in the Darfur region of Sudan, which is the ultimate credibility test for our work and our presence in the Council. The ability of the Security Council to respond to international crises is also the ability of the Security Council to explain simple things to common people asking straightforward questions such as: why are so many people now dead or suffering in Sudan? What are we doing about this? By adopting this resolution, we are also trying to respond to those simple questions.

Mr. Baja (Philippines): The Philippines voted in favour of resolution 1564 (2004), just adopted by the Security Council. The resolution gives hope to the victims of the human catastrophe now taking place in Darfur and challenges the conscience of the international community to come to their aid with bread and with justice. Resolution 1564 (2004) also signals to the parties in Sudan — the Government, the rebel groups and the militias — that they must save lives and protect the population's dignity and property, even as it acknowledges the measures that the Government in Khartoum has adopted towards that end and gives it time and space to do more. A State has the responsibility to protect its citizens, and, if it is unable or unwilling to do so, the international community — the Security Council — has the moral and legal authority to enable that State to assume that responsibility.

We endorse the leadership role given to the African Union, aimed at the peaceful conclusion of the crisis and the protection of the welfare of the people of Darfur.

The adoption of resolution 1564 (2004) also shows that the Security Council can and will act under circumstances similar to those obtaining in Darfur. We endorse that course of action and therefore voted in favour of resolution 1564 (2004).

The President (*spoke in Spanish*): I shall now make a statement in my capacity as representative of Spain.

Spain believes that the resolution we have just adopted, which my delegation joined in sponsoring, serves the purposes the Council has always held foremost throughout the crisis before us, in particular relieving the suffering of the civilian population in the Darfur region, ending the conflict in that area and putting an end to impunity for grave violations of international humanitarian law.

The resolution's text is balanced. While acknowledging the positive steps taken by the Sudanese authorities since the adoption of resolution 1556 (2004), in particular with regard to access for humanitarian assistance, it also clearly notes that much remains to be done in order fully to comply with the Council's demands and to fulfil the commitments made by the Government of Sudan. In particular, there is as yet no adequate indication that the Government of the Sudan has taken effective measures to disarm and neutralize the armed militias, in particular the Janjaweed. Nor has it ended the attacks against the civilian population.

In spite of the progress made compared to the situation prevailing just a month and a half ago, regrettably, the Darfur region remains the scene of serious violations of human rights and international humanitarian law. For that reason, the Security Council cannot neglect its responsibilities; it must act accordingly.

In order to find a reasonable solution to this situation, the Government of Sudan must not only continue but also enhance its cooperation with the African Union. In that regard, the resolution just adopted strengthens the leadership role of the African Union, which was already recognized in resolution 1556 (2004) and which, in our view, must by supported by Member States and by other international organizations if the African Union itself requests such support. We hope that promises to cooperate with the African Union will soon be fulfilled by means of sufficient and well-defined steps.

This is undoubtedly a conflict that has repercussions, especially regional ones, but the threat it also poses to international peace and security requires the participation of the entire international community in order to assist in finding the solution.

I wish to underline the resolution's request for the Secretary-General rapidly to establish an international commission of inquiry to investigate the facts impartially and independently and take the first steps to prevent impunity for those responsible for committing atrocities, no matter what group they belong to.

Echoing the conclusions adopted on 13 September by the General Affairs and External Relations Council of the European Union, Spain fully supports the African Union's action in the Abuja talks under the auspices of President Obasanjo, whom we hope to hear in the Security Council at a special meeting on 24 September. In that regard, I underline the fact that the resolution we have just adopted pressures both the Government of the Sudan and the rebel groups the Sudan Liberation Movement Army and the Justice and Equality Movement to negotiate in good faith and with urgency in order to find a lasting solution to the conflict.

We also believe that nothing that occurs in the Abuja negotiations or on the ground in the Darfur region should hinder a quick resumption of the Naivasha process dialogue on the north-south conflict, which also must be urgently concluded.

My Government trusts that the Government of the Sudan, as testified to by its letters addressed to the President of the Security Council, will comply with the Council's requests and fully cooperate with the Secretary-General and his Special Representative, with the African Union in all aspects of its action in this crisis and with the international commission of inquiry once it is established and undertakes its tasks.

The Council must maintain all these questions under consideration in order in the future to be able to take the right measures without any kind of automaticity or prejudice.

I now resume my functions as President of the Security Council.

I now give the floor to the representative of Sudan.

Mr. Erwa (Sudan) (*spoke in Arabic*): First, I wish to congratulate you, Sir, on your assumption of the presidency of the Council, and I thank you for your cooperation with us and for opening the door for dialogue in these very difficult circumstances.

The Security Council finally concluded its consultations on the appropriate means to enable my Government to continue to honour the commitments undertaken following the hasty adoption of resolution 1556 (2004) on 30 July 2004. That had barely occurred when we saw a fatal blow delivered to the tireless efforts undertaken by my country and to the progress of the negotiations overseen by the African Union under the chairmanship of the President of Nigeria, Mr. Obasanjo, in Abuja. Thus, the people of my country in general and the citizens in Darfur have seen their hopes for prosperity and peace dashed following the submission of the draft resolution just adopted.

The Government of Sudan has shown that it has honoured its commitments as dictated by its responsibilities towards our citizens throughout Sudan. The clearest testimony to that commitment is precisely the report of the Secretary-General and the briefing by his Special Representative, which unequivocally describe the achievements made in other areas and the spheres in which action remains to be taken in order to implement resolution 1556 (2004).

We wish to reaffirm here the ongoing nature of our commitment, despite our deep conviction that many paragraphs in the resolution adopted today represent the worst form of injustice and indignity. The

members of the Council know better than anyone that the roots of the problem lie in the country's economic and social backwardness. Hence, we wonder whether the sanctions measures will help to resolve the problem or whether, on the contrary, they will in fact complicate it by hindering measures aimed at solving it. Moreover, the reference in resolution 1556 (2004) to measures under Article 41 of the Charter is linked to actions to be taken only in the event of non-compliance by the Government.

All in this Chamber are familiar with the Secretary-General's report and heard the briefing of Jan Pronk, his Special Representative. Did either reflect any judgement concerning the Government's failure to respect the resolution? They did not. Despite the poor quality of today's resolution and some of its injustices, it does include a reference to the cooperation provided by my Government. Why do some insist on punishing the Government of the Sudan despite its cooperation, which is beyond doubt?

We again draw the attention of Council members to the fact that the attention of the entire world is focused on the search for justice and credibility in the way nations are treated. Is selectivity being avoided? Are internal crises in developing countries exploited for the sake of political objectives or to conceal practices or crimes committed against other peoples? Such questions could lead to praise for countries within this body that have consistently supported law and justice and seek dialogue with integrity, while respecting the principles of the Charter, which will always triumph over evil. The history of this Organization is replete with moral stories in that respect.

The quality of the resolution might have been improved by delaying its adoption and avoiding the hasty action urged by certain countries. That has led to an unfair text that aims solely at achieving the political objectives of its sponsors. The resolution's focus runs totally counter to the Secretary-General's report, the briefing of his Special Representative and the true situation on the ground. It adopts an approach that sets the Government against the people of Darfur. It discourages the latter from seeking a solution to the current crisis, rather than encouraging them to maintain cooperation and ongoing participation towards peace and prosperity.

In that respect, the Council has frequently noted that peaceful negotiation is the best way to address the situation in Darfur. We have spoken out repeatedly against the Council's sending any signal that might have a negative impact on the negotiating process under way. Such an ill-advised approach was apparent in the severity of the text of resolution 1556 (2004), which led to the failure of negotiations in Addis Ababa in July due to the intransigence of the rebel groups following its adoption, despite the fact that progress had been made. Moreover, the strenuous efforts recently made by the United States, motivated by the ferocious political campaign under way there, along with the resolution adopted today, have led to the failure of the negotiations in Abuja, even though both parties were on the verge of reaching agreement on the second agenda item on security matters. Thus, the rebels refused even to sign the humanitarian protocol.

The haste and pressure associated with today's resolution are due to the fact that the text aims only at pleasing the United States Congress, which believes itself to be the sole conscience of the world and that it enjoys the divine right to decide the destinies of peoples, whereas it would appear rather to be a case of the emperor's new clothes. Millions of other people, however, are not blind to its shortcomings. They see its daily crimes, its murder of women and children, and its destruction of homes throughout the world — in Afghanistan, Iraq and Palestine — as broadcast on our television screens. Moreover, it tortures prisoners and innocent people in prisons in Afghanistan, Iraq and Guantanamo.

While we can understand the position of certain States — even of those that voted in favour of the resolution, sponsored it or spoke honestly in the informal consultations — we shall overlook those that support injustice simply in order to join the ranks of the quartet of tyranny. We are surprised, however, by the position of one State that we thought to be more honest than the country that has always perpetrated injustices in an extreme, partisan and entirely subjective manner. That State must have believed the Sudan to be an easy target, allowing it to atone for its sin of joining the international coalition in the illegal war against Iraq.

The adoption of the resolution has torpedoed all negotiations and undermined the African Union's efforts, spearheaded by President Obasanjo with all his African wisdom. Proof of this is that at the last minute

the rebels set impossible conditions, which were drawn from the text of the draft resolution as originally submitted to the Council.

We hope that the Council will be honest with itself in claiming to support the efforts of the African Union. It should devote careful study to the resolution it has just adopted to see whether it truly addresses the issue justly, objectively and without superficiality. History will be the best judge of that.

The President (*spoke in Spanish*): I thank the representative of the Sudan for the kind words he addressed to me.

Mr. Danforth (United States of America): I had not intended to speak further until, unfortunately, the representative of the Sudan strayed from the point of our deliberations and launched what we would consider to be an unseemly and uncalled-for attack on the United States: an attack which was totally off the point that is now before the Security Council.

The point before the Security Council, once again, is to protect the people of Darfur, who have been suffering terribly and in a way that is unique in the tragedies of the world today: suffering from armed attacks by militias, but also directly by the Government of the Sudan; suffering from attacks after the Government of the Sudan reached a ceasefire agreement, after the Government of the Sudan issued the joint communiqué with the Secretary-General relating to commitments on disarming the Janjaweed, and after the Security Council adopted resolution 1556 (2004) — attacks involving helicopters, shooting into civilian villages.

That is the issue that is before the Security Council. It does not have anything to do with the broadside just launched by the representative of the Sudan against the United States.

The President (*spoke in Spanish*): The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

The meeting rose at 5.05 p.m.